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THE DAILY CONSTITUTION.

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THE SENATORIAL CONTEST.

The vote yesterday for senator resulted as many expected, except in this particular: Mr. Norwood received more votes than was anticipated, and Governor Smith received less. The vote of Mr. Hill was as large as his friends thought he would get on the first ballot.

All the friends of Ex-Governor H. V. Johnson in the legislature voted for Mr. Norwood, and some who were counted for Governor Smith voted for him also.

If the contest to-day is between Mr. Hill and Mr. Norwood, with the large vote received by the latter as the advantage to commence with, there will be no doubt of his election, as it will evidently be a combination of all the candidates to beat Mr. Hill.

If Governor Smith remains in the field, or another candidate is nominated, then it is very certain Mr. Norwood will be defeated. Whether Mr. Hill will be elected or a third man, it is uncertain. The best posted politicians here state as their judgment that unless Mr. Norwood is elected on the first ballot to-day, he will not be elected.

LOVE AND LUNACY.

The course of true love fails to run smooth, even with the Smiths. Only the other day a man named Smith, who was in love with a Miss Pinson, in the neighborhood of Greenville, S. C., called upon the object of his affections, invited her to walk, and then, instigated by one of those extraordinary freaks of jealousy that now and then seize hold of weak-minded mortals, drew his knife and proceeded to stab and cut Miss Pinson, inflicting dangerous wounds. Smith fled, but was subsequently arrested, turned over to the sheriff and is now in jail. It is stated that that unfortunate man is a victim of one of the many phases of insanity that have been diagnosed and duly catalogued by professional experts, and that he is to be pitied rather than condemned. From all of which it would appear that love and lunacy continue, as in the olden time, to walk hand in hand, with the difference that under the restraints of modern society the pastoral pensiveness of the melancholy Jaques has developed into the raging madness of Smith.

GRANT says if he had had more troops at his disposal, he would have given a little attention to some other states besides Virginia, South Carolina, Florida and Louisiana, and intimates that nothing would have pleased him better than to have paid his respects to Georgia. It is a great pity that so small a thing as the lack of a few soldiers should have prevented the Galena galoot from indulging in those patriotic impulses that have become (together with a liberal supply of grog) characteristic features of the present administration.

THE New York Daily Witness prints a map of Moxa Morton's ugly mug. The proboscis of this eminent rascal has the appearance of having started back to hunt for his forehead, and the forehead looks like it is hiding in a jungle of hair to keep from being arrested by such a vicious-looking object as the nose in question.

IT would appear that Grant's recent telegram to Augur was sent merely for the purpose of reviving the New Orleans Republican. The president is a very charitable man at times.

WE fear the public mind is getting befogged. A Henry county subscriber desires to know if "Compromise Bill" isn't the name of some new candidate for president in the west.

THE Columbus Times is the only southern democratic paper opposed to the electoral compromise bill.

THE Chamberlain corruptionists in South Carolina are keeping remarkably quiet just at present.

PACKARD is evidently of the opinion that Augur is a bore.

B. H. HILL AND WASHINGTON McLEAN.

A Card from Judge Wm. Schley—Telegraphic Correspondence.

The following telegraphic correspondence explains itself: It will be noted that Mr. Hill pointed out the Hon. Washington McLean, as one of the chief conspirators against the great man's name and fame, that he (McLean) was involved with Gen. Steadman in the cotton steals, and that ever since 1865 when the law put a stop to plunders of this sort in Georgia Mr. Washington McLean, of Ohio, had marked out Mr. Hill as his especial victim.

Mr. McLean informs the public he never saw Mr. Hill or heard of him before the last session of congress.

He could not therefore have called on Mr. Hill, when the latter left Fort Lafayette in 1865. We have given him a letter of introduction to Gen. Steadman.

Mr. Hill speaks of Mr. McLean, as if he were the present editor of the Cincinnati Enquirer, and joins that paper to the gang of conspirators on this account, and for this reason. When in fact Mr. McLean ceased to be the editor of the Enquirer four years ago.

Mr Hill fulminates against Mr. McLean that he was connected with the cotton steals in Georgia which were conducted by General Steadman.

Mr McLean declares he knew nothing of General Steadman's operations and had no connection with him.

To such of the readers of the CONSTITUTION as may not know nor have heard of the Hon Washington McLean, let me say he represents the highest type of manhood, and besides great intellectuality, joined to unswerving democracy, is a high-toned, honorable gentleman, whose word no one will dare to impeach.

W. SCHLEY.

Markham House, Jan. 23, 1877.

Telegraphic Correspondence.

ATLANTA, GA., January 22.

Hon Washington McLean, Cincinnati, Ohio:

Mr Hill stated saturday night, in a speech before the members of the legislature, that your enmity against him was because he prevented you Gen Steadman and others from unjustly seizing and appropriating Meicall's cotton in Augusta in 1865, and ever since that you had been his bitter enemy—and that the night Senator Norwood and I called to see you in your sick chamber, that you and I had made a conspiracy to injure him, by having Townsend there to interview. I pronounced it false. What do you say for yourself? Answer immediately

W. SCHLEY.

The telegram to Hon Wash. McLean not finding finding him at Cincinnati, was forwarded to Washington. The following is his reply:

WASHINGTON, January 22, 1877.

Hon. W. Schley: Mr. Hill's statement about myself is absolutely groundless. I never had the base of cotton in my life, and was as much opposed to seizing cotton as any man in the south. I have no acquaintance with or enmity towards Mr. Hill—never having seen him, or heard of him before the last session of congress. Mr Townsend's presence in my room on the occasion of your visit to me was sick was purely accidental, and I have repeatedly condemned his publication in the Graphic newspaper of the private conversation that transpired there, in which Senator Norwood is made to figure as a violator of confidence and hospitality. I have no interest in or control over the Cincinnati Enquirer. I know nothing of any of Gen. Steadman's operations in Georgia, and had no connection with him. Mr. Hill has been simply imposed on.

WASHINGTON McLEAN.

False Pay Rolls.

DANVILLE, Mass., January 23.—A. N. Joy was arrested for falsifying his pay rolls.

AND SHERMAN TOO!

THE SANCTIMONIOUS FANATIC FROM OHIO JOINS IN WITH HOTSPRINGS MORTON.

Seething Rage of the Chandler Conspirators.

The Democrats of New Jersey Elect Hon. John R. MacPherson to the United States Senate vice Frelinghuysen.

The House of Representatives Recognize the Validity of Certificates of Election from the Supreme Court of South Carolina.

A Passenger Train Thrown Off the Track on the Louisville Short Line Railway.

Public Meetings Throughout Georgia in Favor of the Election of Hon. B. H. Hill to the Senate.

THE MASSES SPEAK,

AND THE UNIVERSAL VOICE IS FOR HILL.

An Enthusiastic Endorsement from Troup—Action of the Men of Campbell County.

Special Dispatch to the Constitution.

LAGRANGE, GA., Jan. 23.—The following resolutions were adopted, enthusiastically, at a meeting here to-day:

Resolved, That the people of Troup county, in common with the masses of Georgia, demand at this critical juncture in our national affairs the services of Hon. B. H. Hill in the United States senate, where, by his distinguished talents and unswerving fidelity to the principles of constitutional liberty, and his exalted patriotism, he can illustrate Georgia as she was proudly illustrated in the days of intellectual giants

Resolved, That we, the citizens of his old home, who have known him longest and know him best, proudly and unhesitatingly commend him to the legislature of Georgia for the exalted position of United States senator from our grand old commonwealth, and respectfully request our immediate representatives and senator to support him unflinchingly

J. T. WATERMAN, Secretary. B. C. FERRELL, Chairman.

CAMPBELL WANTS HILL.

A large and enthusiastic meeting of the citizens of Campbell county met this day at the court-house, and unanimously adopted the following resolutions:

Resolved, That the people of Campbell county ardently desire the election of the Hon. B. H. Hill to the senate of the United States, and would profoundly regret that any combination or opposition should result in his defeat.

Resolved, That our representative, the Hon. James M. Wilson, and our senator, H. P. Brewster, are requested to vote for Mr. Hill first, last and all the time.

WM. C. PARKER, Ch'n.

E. C. MORLEY, Sec'y.

JANUARY 23, 1877.

THE EPOCHAL EVENT.

THE GREAT QUESTION THAT IS TO DECIDE FOR WAR OR PEACE.

Sherman Opposed to Justice—Conkling and Frelinghuysen Put Themselves on Record as Patriots—Endorsements still Coming in, etc.

WASHINGTON, Jan. 23.—Quite a number of resolutions from mercantile organizations and other bodies were presented in favor of the bill.

Mr. SHERMAN said it was painful for him to dissent from gentlemen he so highly esteemed, and proceeded to argue against the bill.

Mr. CONKLING followed in a speech favoring the bill. He ridiculed the idea that the president pro tem. had power to count the vote. In the course of his speech Conkling said a study of the matter some years ago convinced him of the right and the duty of congress to ascertain and verify the votes and declare the true result of presidential elections, or else by an assertion of the law-making power to declare how those acts shall be done. He argued at length that the bill did not violate the constitution.

In the senate Mr. WALLACE presented the petition of A.E. Borie, John Welsh and others, leading citizens of Philadelphia, without regard to party in favor of the passage of the bill in regard to counting the electoral vote. He presented a similar petition from citizens of Pittsburg. Both were laid on the table.

THE HOUSE.

After unimportant business Mr. ZELEY spoke against the report of the committee on privileges and powers, but in the course of his speech, referring to the report of the joint committee recently made, he thought it full of lofty patriotism, and if it could be adopted by congress with the unanimity with which it was reported from the committee he would regard it as the most glorious event of the commencement of the second century of American independence.

Mr. WILLIAMS argued against the pending report.

Mr. TUCKER made a constitutional and legal argument in support of it. In closing his speech, he advocated the passage of the electoral compromise bill, not as coming up to his own ideal of a tribunal for counting the electoral vote, but as a measure of peace which would give satisfaction and security.

The vote will be reached to-morrow, when Payne will report the electoral bill.

Adjourned.

THE POPULAR FEELING.

HARTFORD, January 23 — In the senate to day the resolutions passed last week endorsing the congressional plan to count the vote for president, was recalled by the house, reconsidered and tabled. The plan is regarded less favorably by many members of the legislature than when it was first announced.

BOSTON, January 23.—A meeting was held at Faneuil hall. About 4,000 persons were present. Mayor Pierce presided. Resolutions were adopted thanking the committee of the two houses for the bill. The resolutions were very strong.

BEHIND THE CURTAIN.

THE HOUSE RECOGNIZES THE SUPREME COURT CERTIFICATES OF SOUTH CAROLINA.

Captain Enda's Jetties—The Pacific Telegrams—Attempt to Blunder a South Carolina Gentleman, Etc.

WASHINGTON, Jan. 23.—N. B. Nash, a colored republican senator and presidential elector, of South Carolina, testified that Col. Childs of the Carolina National bank, had attempted to bribe him to vote for Tilden. Col. Childs has been suspected.

The Daily Chronicle has suspended publication.

COLUMBIA, January 23.—Col. L. D. Childs, president of the Carolina national bank of this city, of whom it was stated by Senator Nash, colored, of this state, and one of the presidential electors for Hayes, before congressional investigating committee at Washington as having attempted to bribe him (Nash) to cast his vote for Tilden, made an affidavit to-day denying having made any proposition whatever to Nash relative to casting the electoral vote, and that he never had or knew of any money applicable to such purpose. Col. Childs has been confined to his bed by ill health for several weeks and is now unable to leave his room. Everything is quiet here.

WASHINGTON, January 23.—The house committee on appropriations heard Capt. Eads in advocacy of the action of congress to procure the payment of the first installment of half a million on his jetty contract. A subcommittee was appointed to confer with the secretary of war as to the respect in which it fails to provide the proper authority for the payment.

The president has vetoed the bill abolishing the police board.

The bill is now being discussed before the senate.

The committee on elections of the house adopted a resolution that Butts had a prima facie title to the seat from the certificate of the supreme court of South Carolina that he had received a majority of the votes in the second congressional district.

The southern committees sit with closed doors.

The report of the committee on privileges and powers of the house is under discussion, which may crowd out Payne's report of the joint electoral bill to-day.

Butts was seated.

James B. Mason appointed tobacco inspector for the fourth district.

Confirmations: Hamilton, district attorney for Kentucky. Mrs. Johnson, postmistress at Griffin, Ga.

General Auger telegraphed to the secretary of the war department that there was no truth in the small-pox story telegraphed from New Orleans a few days ago.

The judiciary committee of the house agreed to report the bill prohibiting troops within two miles of the polling place ten days before or on election day.

The committee reported that articles of impeachment ought not to be reported against secretary Robeson.

General Eckert, president of the Atlantic and Pacific telegraph Co., before the committee of privileges and powers, said he would produce the dispatches called for. None had been destroyed to his knowledge.

The committee to examine into the N Y. postoffice have concluded their report. Any suspicion or charge of tampering with the mails is utterly baseless.

AMONG THE STATES.

New Jersey's New Democratic Senator—Logan in Agony Yet—The West Virginia Senatorship.

TRENTON, N. J., January 23.—In the senate this morning the vote for United States senator resulted: John R. Macpherson, democrat, 11; Frederick Frelinghuysen, republican, 10. In the house, Macpherson 30; Frelinghuysen 30.

In the house the local option bill, agreed upon by the state temperance alliance, was introduced.

SPRINGFIELD, ILL., January 23.—The 33d ballot stood: Logan, 83; Anderson, 89; Washburne, 18; scattering, 10.

WHEELING, Jan. 23—Three ineffectual ballots for senator. The caucus meets again this evening.

NEW ORLEANS, Jan. 23.—In the state legislature to-day, the house committee appointed to inquire into the charges made by Pinchback to the effect that members had been bribed by some member of the house to vote for Kellogg for senator, reported they had examined, under oath, 62 out of 66 members present, and that every one had declared they had not received money or any other consideration to vote for Kellogg. The committee stated that evidence was given by them that improper influences were attempted by some, but not by any one in the interest of Kellogg. The testimony was referred to the judiciary committee.

SO MUCH LIKE CAIN.

A Burglar Perforates a Policeman—A Fancy Man Murdered.

MEMPHIS, January 23.—While attempting to arrest a burglar named Williams, Detective Pryde was shot and mortally wounded.

Ebon O'Neal shot and instantly killed Henry Cox last night, on Madison street, about a woman. All colored. O'Neal escaped.

A Misplaced Switch.

CINCINNATI, January 23.—A misplaced switch at Mill Creek station, on the Louisville short line railroad, threw the through passenger train, going south, off the track at an early hour this morning. The railroad officials state that no person was injured.

Captured by Crazy Horse.

SIOUX CITY, Jan. 23.—It is reported at Fort Randall that a train of fifteen wagons and thirty men, coming from the Black Hills, were captured by the crazy Horse band. None escaped. All were scalped.

His Wife Identified.

LONDON, January 23—The body of the wife of Captain Wilcox, of the American steamship George Green, was identified at Kingston, Devonshire. The ship with all on board is undoubtedly lost.

Suspended.

SAN FRANCISCO, January 23.—Perry & Walfskill, prominent bankers, have suspended.

State Librarian

Editors Constitution: One of the most powerful of the arguments adverse to the appointment of a lady as state librarian, which were brought before the judiciary committee, is that lawyers who may wish to consult the library during the summer months cannot take off their coats and shoes if a lady be the librarian.

As this office is a matter of vital importance to one who wishes thereby to earn a moderate support, could not matters be compounded by the librarians providing a few pairs of slippers and a supply of linen dusters, fans, etc., or under the circumstances, for daily bread is a necessity, would she not consent to waive her power of vision so far as the coats and shoes are concerned? One of the members seemed to fear that if women should be rendered eligible for this appointment, they would also be deemed capable of holding office as sheriffs, or the keepers of jails and penitentiaries. Is there any analogy between the positions? Why not say keeper of a menagerie at once, if the sensitive member fears that the lawyers cannot conduct themselves even during the hours of study, so a lady can be present? There are fifty-one applicants for the office: at least forty of whom, as Mr. Turnbull, of Banks, says, weigh about 175 pounds, and are quite capable of good physical labor. Would it be out of place to suggest that some of these gentlemen might off with their coats, on with the brogans, and hold the plow instead of the pen? Another objection made is, that in case of defalcation, no one would be found so ungallant as to prosecute a woman. The law is no respector of persons. A bond is required for the security of the state, and in the event of mismanagement, nothing but simple justice would be asked for Mrs. O.—or her friends. This is a question of the truest kind—that of giving a worthy lady a position in which she can gain a livelihood.

As is shown in an editorial in Friday's CONSTITUTION, the law makers who excluded women from office appear to have contemplated the making of some exceptions. The occasion for such an exception is here. Since the death of Mrs. Overby's husband, her record as a woman of business challenges investigation. She is a strict, systematic book-keeper, exact in all her dealings, and is both from education and association fully competent to hold the office. I think it will be found that so far from inconveniencing the gentlemen for whom so patriotic an appeal has been put up, she will add to their comfort by her painstaking and conscientious fulfillment of her duties. And it may be safely promised that the ladies will not as yet take advantage of the concession to seize the office of either sheriff or jail master. S. E. G.

THE GENERAL ASSEMBLY.

FIRST DECISION—TWELFTH DAY'S PROCEEDINGS.

The Election of United States Senator—Discussion on the Constitutional Convention.

THE SENATE

ATLANTA, GA., Jan. 23, 1877.

The senate met at the usual hour, Mr. Lester presiding.

Prayer by Rev. J. P. Duncan, chaplain.

After the reading of the journal, Mr. Godfrey gave notice that he would move to reconsider the action of the senate in regard to the insuring of the public buildings.

MESSAGE FROM THE HOUSE AND GOVERNOR.

A message was received from the house embracing the passage of a number of local bills.

A message was received from the governor containing communications in a sealed package, which he asked the senate to consider in executive session.

BILLS ON THIRD READING.

Referring to the payment of monies to school teachers. Reported adversely from committee on education. Lost.

To provide for the more definite and particular return of income, or gross receipts, from corporations, companies, &c., that are required to report the same to the comptroller general. The bill provides that where the comptroller general shall deem said returns too small, he shall fix the amount himself, his decision to be subject to the arbitration of three persons—one chosen by each of the parties at issue, and the third by these two. The finance committee reported the bill back with slight amendment and recommended its passage. Passed.

To provide for proper assessment of property in the counties of Lee, Worth and Dougherty. Reported adversely from finance committee. Withdrawn.

To consolidate the offices of tax receiver and collector of Gilmer county, and to fix his fees, &c. The bill does not affect the present incumbents. Passed.

To require the county school commissioner of each county to make annual report of the school operations of his county, and to furnish a copy of the same to the grand jury at the spring term of the court. Passed.

To amend the garnishment laws of this state, requiring that the original sums of garnishment to the affidavits served upon the parties garnisheed. Judiciary committee reported adversely. Lost.

A bill to fix the compensation of the county officers of Union, Towns and Rabun, prohibiting the payment of any compensation to those officers. Postponed.

To fix compensation of tax collector and receiver of Dade, Walker and Catoosa counties, providing that the per cent on the state tax alone be allowed. The committee amended by allowing that the per centage be divided equally between the state and county tax.

Mr. Carleton hoped the amendment would not pass. It was a matter purely with his counties if they desired to collect both taxes for the percentage on one tax. All they wanted, was to get precisely the same per centage on the state tax that other counties do.

Mr. McDaniel thought it was an ingenious effort to make the state pay the whole cost of collecting state and county taxes in those counties.

Senator Harrison thought the fair way was for the state to pay for what it got, and the county pay for what it got. He was opposed to both the bill and substitute, and moved its indefinite postponement. The motion to postpone was lost. The bill as amended was passed.

Senator Black asked a suspension of the rules to introduce a resolution, fixing the hour of 12 m. as the time for electing a senator.

The senate then went into executive session and confirmed the appointments.

A house resolution, making the printing committee of the house and senate a joint committee, was concurred in.

Mr. Godfrey moved that a committee of three from each house be appointed to consider the propriety of improving the public buildings.

BILLS ON FIRST READING.

Mr. Black—To better protect creditors in cases of assignment of dower.

Mr. Reese—To provide for the compensation of the comptroller general.

Also, to define what are private ferries.

Also, to provide for the impartial selection of jurors.

Mr. Reid—To prohibit the sale of spiritous liquors in the county of Wilcox.

President Lester—to incorporate the Laurel Grove Cemetery railroad of Savannah.

BILLS ON THIRD READING.

A bill relating to the carrying of concealed weapons, and excepting sheriffs and deputy sheriffs from provisions of the same. Judiciary committee recommend that it do not pass. Lost.

A bill to change the time of meeting of the general assembly. Reported adversely. Lost.

A bill to amend section 3514 of the code by striking out the words "three days" after "the subpœna shall be served," and inserting "where parties live in the county ten days, where they do not twenty days." Passed.

SENATORIAL ELECTION.

Mr. Black nominated Hon. Thomas M. Norwood, of Chatham.

Mr. Cabaniss nominated Hon. J. M. Smith, of Muscogee.

Mr. Howell nominated Hon. B. H. Hill, of Clarke.

A ballot was taken and the senate adjourned until 10 a. m. to-morrow.

EXECUTIVE SESSION.

The senate in executive session confirmed the following appointments:

Hugh Buchanan, judge Coweta circuit.

J. K. Hines, solicitor Middle circuit.

A. L. Mitchell, solicitor Western circuit.

F. D. Dismuke, solicitor Flint circuit.

HOUSE.

The house was called to order at 10 a. m. by Speaker Bacon.

Prayer by Rev. John Jones, Chaplain.

UNITED STATES SENATOR.

Mr. Whittle offered a resolution that the house meet at noon to-day and proceed to elect a United States senator for the term beginning on the 4th of March next for six years, which was agreed to.

JOINT COMMITTEE.

Mr. Awtry offered a resolution that the committees of the house and senate on public printing be made a joint committee, which was agreed to.

HOURS OF MEETING.

Mr. Bloodworth offered a resolution that otherwise ordered the hours of meeting be fixed at 9:30 a. m. and 3 p. m., and of adjournment at 1 p. m. and 4:30 p. m.

On motion of Mr. Turnbull the resolution was tabled.

CONSTITUTIONAL CONVENTION.

Mr. Walsh moved to take up the unfinished business of yesterday, being the consideration of the bill to call a constitutional convention, and that the house resolve itself into the committee of the whole to consider the same, which motion prevailed, and the house went into a committee of the whole. Mr. Phillips, of Cobb, in the chair.

Mr. Cox, of Troup, opposed Mr. Hillyer's amendment. We represent the democratic people of the state, and if the democratic people wish a convention it should be held. My objection to the amendment is that under it a minority of the democrats might add their vote to the solid republican vote and defeat the wishes of a majority of the democracy of Georgia. Let a convention be called squarely by the hours.

Mr. Bloodworth said the people ought to have the question submitted to them. He agreed in the main with the amendment offered by Mr. Hillyer, but differed with him as to that part making it obligatory to vote "for" or "against" a convention. The people of Georgia are sovereigns and if a majority of the legal votes are in favor of a convention a convention should be held.

Mr. Hillyer said that while he believed his amendment ought to be adopted, he was not wedded either to making it obligatory or optional to vote for or against a convention. The people should have a chance to vote on the question. He thought it better to make it obligatory, but was willing to concede the point to the gentleman from Monroe. But he insisted strenuously that the people should be consulted before a convention was called. While as a young man and new member of the house and therefore diffident in expressing an opinion differing from so many men of experience and wisdom on this floor, yet he expressed the opinion with confidence that the cause of the people were safe in their hands, and it was safe to consult the opinions of the people. It was dangerous to give way to the momentum of opinion. Every member should think and determine for himself. The most of our troubles come from agreeing to an accepted opinion. It is roundly asserted by the advocates of this bill that the people desire a convention. I deny that the people want a convention. There is no evidence that they do before this house, for the people have never been consulted. My amendment simply provides that the people shall be consulted. But it is said that "it is no use to talk, the people want a convention." If the people want it, then let them say so. Give them an opportunity to say what they desire. One of the strongest powers that we can exercise is the power of calling a constitutional convention to amend the fundamental law. Be careful before you call it. When it is discussed before the people there are grave doubts whether a convention will be called or not.

You want to call a convention to change the homestead feature of the constitution. Meet me in a spirit of fairness in discussing this point. There is now before the judiciary committee of the senate a constitutional amendment reducing the homestead to $1,000, which has already passed one legislature. Pass this amendment and submit it to the people free and by itself. What will be the result if you call a convention? You may try to reduce the homestead, but there will be other questions that will antagonize the people against the whole constitution, and you will not change the homestead. Submit it then as an isolated question if you want it reduced. Different reasons are given for calling a convention. The same is true of the fraudulent bonds as of the homestead. One of the strongest and most cogent reasons for calling a convention is that to prohibit the payment of these bonds. But an amendment has already been passed by one legislature on this subject, and is ready to be passed again. This legislature will be recreant to her duty if she does not pass it and submit it to the people. You run a great risk if you do otherwise. Submit that also as an isolated question, and there is not an honest man in Georgia but will vote against paying them. Couple it with other amendments and it will be voted down, and you will have the bonds endorsed by a popular vote. The politicians want a convention, but I have seen no stir among the people. Take the vote on the masses on it. The gentleman from Troup is mistaken as to whom we represent on this floor. We represent the people of Georgia, irrespective of party. There are fitter places for the frequent allusion to political parties than this house. We should be a party of the people, upholding the people's rights. (Applause.) We ask it as a boon to the people of Georgia that you do not amend the fundamental law without submitting the question to them. When they pronounce their judgment, the sovereigns have spoken and none can gainsay their fiat. If the legislature can thus alter the constitution, I am mistaken as to the dignity of the popular vote in our government. I do not suppose that you are afraid of the verdict of the people. Do not then be afraid of them. The calling of a convention was not in the state canvass. A convention of one of the parties in this hall was resolution relative to calling a convention was voted down.

Mr. Phillips vacated the chair and it was occupied by Mr. Price.

Mr. Stanford urged that the ideas advanced by Mr. Hillyer were the same as those advanced twelve months ago to defeat the will of the people of Georgia. There is an universal expression of opinion from the mountain to the seaboard for a convention. I stood alone at alone in the constitutional convention of 1868, battling for the rights of the people against scalawags and scoundrels. Ever since March, 1868, I have been in favor of a convention. That is not a constitution of the people of Georgia. It was framed by foreigners, aliens and adventurers. He then read the 33rd section of the bill of rights to show the change in the organic law. It was a radical idea that we owed paramount allegiance to the general government. Every state is sovereign and independent. We owe allegiance to the state first, and respect to the general government afterwards. The general government is only a creature of the states. Georgia owes no paramount allegiance. He favored a convention to strike out this clause.

Another objection to the constitution was the pardon power given to the executive and his patronage.

Another was the denial of the right of trial by jury in our inferior courts, and the long term of offices of the judiciary. The judiciary are appointed and the right of the people to select their officers are denied. Refer it to the people and let them say who are to be their judges.

Another objection was the educational feature. The school law was wholly impracticable and a dead letter.

To refer the holding of a convention to the people is the old parliamentary tactics used to defeat the bill. The people are ready for it—they are thundering at the door of this house. Vote against the bill and you never will return here again. Our rights and interests should be left in the hands of Georgians, and Georgians alone. [Applause.]

Mr. Stokeley said that there was great inconsistency in those who opposed Mr. Hillyer's amendment, when they claimed that the people wanted a convention, and opposed submitting the question to them. Some on this floor deny that the people want a convention, and you can only ascertain the fact by adopting Mr. Hillyer's amendment. If the people are for a convention adopt the amendment and we will have a convention. I will not vote for a convention without the people are consulted. Even Gen. Pope submitted the constitution to the voters of the state.

Mr. Turnbull—Did not Gen. Pope disfranchise a large number of voters before he did so.

Mr. Stokeley—They were disfranchised before.

Mr. Moses—Do you cite the example of a military governor for imitation?

Mr. Stokeley—Although a man of military training and education, he consulted the popular will on the subject. In the impoverished condition of Georgia, the people will pause before incurring an expense of $100,000.

Mr. Fry inquired as to what were the issues before the house. According to some, it was the military, while others say it is the democratic party. Then there were others who claimed that it was the people thundering at the door. Are we legislating for party, or for country and posterity? If you asked Mr. Blaine he would say he was legislating for party. If you asked Mr. Grant he would say he was President of the republican party. The gentleman from Troup would say that he represented the democratic party.

Mr. Cox—I rise for the purpose of stating my position, so that it cannot be misrepresented. I am in favor of a convention, and of a constitution framed by the intelligence of Georgia—by the white people of moral worth and intelligence. [Applause.]

Mr. Fry—Then why not submit the question to the white people of Georgia? [Applause.]

Mr. Cox—The people speak through me as their representative.

Mr. Fry—I want the question submitted to the white people of Georgia before you plunder their pockets for a convention. If the people want a convention, I will favor it. The thirty-third section of the bill of rights, the homestead and the extent of patronage of the governor, are questions that only come up when the bill as a whole comes up. The question now is on the amendment, and whether the intelligent and white democrats want a convention. Where is the consistency in refusing to take the judgment of the people on the matter? There may be a power behind the throne. Is the meaning to unearth six millions of repudiated bonds? Let the people speak, and until then beware. Are you representatives of the people when you fear to submit your action to their votes? Go to the people of Georgia and ask their judgment as to whether they want a convention. [Applause.]

Mr. Bloodworth—My amendment meets the case. I agree to Mr. Hill years amendment except the obligatory clause. It is repugnant to our feelings to be compelled to vote. If you will strike out that clause, I will vote for your amendment.

Mr. Awtry moved to still farther amend by striking out all except that part submitting the constitution to the people for ratification or rejection. The people favored a convention because it was an economic measure. It was unnecessary to submit the question of holding the convention to the people, but the constitution should be submitted.

On motion of Mr. Walsh the committee rose, reported progress and asked leave to sit again.

BILLS ON FIRST READING.

The rules were suspended and the following bills were read the first time:

Mr. Walsh—To create a board of health in Augusta. Referred to finance committee.

Mr. Hood—To amend the act to regulate the sale of liquors at Ward's station, in Randolph county. Referred to judiciary committee.

Mr. Russell—To amend section 4092 of the code. Referred to judiciary committee.

Also, to prescribe the penalty for assault and assault and battery. Referred to judiciary committee.

READ SECOND TIME.

The senate bill to amend section 3216 of the code and make it applicable to cases of mandamus, was read the second time.

TENDERED SEATS.

Seats were tendered to R. H. Tatum and J. M. Sutton of Dade, J. R. Brown of Cherokee, C. C. Duncan of Houston, and C. W. Mabry and A. P. Mooty of Troup.

MALLETTE SEATED.

The committee on privileges and elections in the contested election case from Camden county, reported Mr. G. A. Mallette legally elected and entitled to his seat. They offered a resolution that G. A. Mallette was elected and entitled to his seat. The resolution was agreed to.

SHUTTING DOWN ON CLERKS.

The committee on enrollment reported a resolution that it was the sense of the committee that the clerk has sufficient force, and that no more be employed unless certified to by the clerk as necessary, and that the clerk of the enrollment committee be considered as one of the clerks of the house. Agreed to.

UNITED STATES SENATOR.

Before the vote was taken Speaker Bacon said that he would enforce the rule against applause, and if any one presumed to hiss, to exhaust all his power to bring the offender to exemplary punishment before the bar of the house.

Mr. Carlton, of Clarke, said:

MR. SPEAKER—In behalf of the whole people of the ninth congressional district, I have the honor to present to this branch of the electoral power of Georgia their able and patriotic representative in congress as a suitable man to represent the people of Georgia in the United States senate. And in presenting the name of Hon. B. H. Hill to this body, I do so not only in behalf of the people of the ninth district, nor alone in behalf of the people of Georgia, but the whole people of the long oppressed south. I speak in the interest of one whose whole duty is, has been and ever will be to his country, and whose highest ambition is to see his much loved south the peer of any section of the union in the management and control of the governmental affairs of the whole people of this American union. [Applause.]

Mr. Walsh, of Richmond, said:

MR. SPEAKER—I am requested to present for the position of United States senator the name of ex-Governor James M. Smith, of the county of Muscogee. Of his public services it is unnecessary for me to say one word. The people of Georgia are familiar with his official discharge of his duties in the executive department, as the governor of this state. His record has been made up, he has proven himself to be faithful, honest and competent in the discharge of high trusts committed to his keeping. If he should be elected to the United States senate he will bring to the discharge of the duties of that high trust the honesty, faithfulness and competency becoming a senator from the state of Georgia. [Applause.]

Mr. Payne, of Chatham, said:

MR. SPEAKER—I nominate for that office, Thomas M. Norwood, of Chatham. His record, also, is known to the people of Georgia, and it would be useless for me to attempt to inform this house of that record. [Applause.]

MR. Blue, of Glynn, said:

MR. SPEAKER—I nominate the name of Hon. Dawson A. Walker, of Whitfield, for that position. I have no compliments to make on him.

Mr. Reid, of Putnam, said:

MR. SPEAKER—Determined that Putnam's representative shall honor Putnam's choice I nominate Hon. Herschel V. Johnson, and I know it will meet with a response from those who admire old-fashioned patriotism and democracy.

Mr. Polhill—I am authorized to withdraw the name of Herschel V. Johnson. [Applause.]

The vote was then taken. The result appears elsewhere.

On motion, the house adjourned until 10 A. M. to-morrow.

Vice-President Hendricks' Views upon the Compromise Electoral Bill.

INDIANAPOLIS, Jan. 21.—Governor Hendricks has talked more at length regarding the congressional commission plan, and says, in detail: "I am gratified that so fair a bill has been reported. It may not satisfy those who demand success in advance, but I think it will be accepted by the country. Certainly the commissioners may make a proper and righteous decision under it. It will allow such latitude of investigation and judgment as will compel them to decide the right. If in its present shape the bill will not allow the commission to consider all matters of evidence as fully as the two houses of congress could do if considering the questions directly, the necessary amendments can easily be made; but I see provisions appear ample in that respect."

Regarding the constitutionality of the measure, he adds: "The matter is one in which the powers of congress and the methods by which they should be executed are not definitely prescribed. It may be compared to the admission of states into the union. The constitution confers upon congress the power to admit new states, but does not prescribe the method in which it is to be exercised. Hence, congress may act through a co ordinate department of the government, as was recently done in the admission of a state by presidential proclamation. I do not regard congress as abdicating its power in doing this. The power of congress to count the vote, and to decide upon all questions that arise in the progress of the count, is exercised directly by itself, and through the agency which creates, with final supervision and control by agreement of both houses."

Yesterday and to-day press representatives felt the popular pulse in this city, and among business men the feeling is general that it is the only peaceable solution of the presidential vexation now offered.

THE PLAN.

Comments of the Southern Press.

Chattanooga Times.

It is a peace-maker, and as such we endorse it.

Richmond Dispatch.

It is the grandest measure for the country that could be desired.

Macon Telegraph.

Affairs are in a critical situation, and it should be the aim of every patriotic congressman to pass this bill with the least possible delay.

Raleigh Sentinel.

The plan proposed by the committee is perhaps the most fair, judicious and conciliatory plan which could have been hit upon; and will no doubt lead to a beneficial result.

New Orleans Democrat.

We anticipate the adoption of the electoral bill by both houses of congress, and the peaceable solution of the presidential problem.

Nashville American.

The commission to be appointed by the two houses of congress appears to us as fairly constituted as could be where there is so wide and radical difference of opinion.

Selma Times.

As the outlook now presents itself, civil war is averted, the peace of the country assured, and the inauguration of Tilden and Hendricks on the 5th of March next.

Charleston News and Courier.

For sensible democrats and sensible republicans, the cry now should be: *The bill, the whole bill, and nothing but the bill.* In no other way can the quick passage of the bill be assured.

Augusta Constitutionalist.

Appreciating the necessity of party unity and a firm reliance upon our leaders, we give way to them and cordially endorse the report and trust the bill proposed may receive the vote of every democrat in both houses.

Louisville Courier-Journal.

Weighing our apprehensions, we see less of danger to the country in the bill before congress than in a course of events that would lead to a conflict which was not the result of the firm, unanimous action of the democrats in the house of representatives.

Savannah News.

A hasty perusal of its provisions has impressed us with the conviction that it is perhaps the best plan that, under the circumstances, could be devised for a fair and satisfactory solution of the difficulties which surround the presidential question.

Baltimore Gazette.

There can be no new life infused into the arteries of trade until the presidential question shall be satisfactorily and peacefully adjusted. Woe betide the party or the men who stand in the way of such adjustment.

Richmond Enquirer.

We believe that the appointment of the committees and their agreement was the direct result of the determination of the true men of the country to maintain their rights, and we still have faith in the power of this determination.

Richmond Dispatch.

We do not overstate the public blessing vouchsafed through this compromise. We are sure it will be adopted, and that we shall, to the joy of the land, be peacefully led out of the national trouble which so recently placed the country in such peril.

Knoxville Tribune.

We look to it in the confident hope that it will not merely tide us over the present dangerous shoal, but make it impossible that our ship of state should ever again sail near the same dangerous point.

Columbus Enquirer.

Viewed in every light under the circumstances the commission is for the best. It will end all the heated discussions in congress, if it accomplishes nothing else, and will, we believe, eventuate in the choice of Tilden and Hendricks.

Lynchburg Virginian.

We do not believe that the reported scheme of the joint committee will commend itself to the judgment and conscience of the country, and therefore think that congress should settle the question in accordance with the plain provisions of the constitution.

Richmond Whig.

It is enough for us to know that such men as Bayard and Thurman, and our party friends in congress generally, regard the conclusion of the committee, under all the circumstances, as being the best solution of the difficulty to be hoped for to insure our advocacy of the adoption by the two houses of the committee's report.

New Orleans Picayune.

The rejection of the law allows but one alternative—war. Better that than a disgraceful submission to a palpable injustice; but the reference of a disputed question to an impartially constituted arbitrament is honored to both parties.

Charleston News and Courier.

It is evident that the popular voice is for "the bill, the whole bill, and nothing but the b

The Atlanta Daily Constitution

WEDNESDAY MORNING, JAN. 24, 1877.

SUPREME COURT DECISIONS.

The decisions for the July term, 1876, are now ready.

The pamphlet will be furnished to subscribers at $1, and to all others at $2.

COUNTING THE VOTES.

One of the best features of the compromise plan is that which requires each house to select its representatives by *viva voce* vote. This will certainly interfere with the workings of the machine in the senate; and the republicans being hopelessly split over the subject, we may confidently look for the rejection of Morton, Jack Logan, Cameron and the carpet-baggers from all participation in the work of the grand commission. This would be an additional guarantee of a just result. The emergency demands a court composed exclusively of patriots.

The prospects of the bill are very good. It will surely be passed by the senate. In the house there are many divisions. One party holds with Mr. Knott that a legislative enactment cannot change a constitutional provision; the ultra republicans believe that Mr. Ferry is vested with the power to name the next president; another lot of republicans say that neither congress nor a commission can go behind the returns; others say that outside parties should not be brought in to decide a question a fact; but by far the larger party is the party of expediency—the party that wants to allay the excitement that is disturbing business, by removing all excuse for war. The latter party is being rapidly recruited from all the other parties through outside influence. The wires are fairly burdened with dispatches imploring members and senators to support the bill. They will do it, much to the chagrin of the Morton-Chandler clique of conspirators.

And yet the average congressman is in a pickle. He is not quite sure what it is best to do. He wants to hear from home. If he votes for the bill, and the commission counts in Hayes, he knows his rivals will utilize his vote to his detriment, and vice versa as to republican members. There never was a time when partisanship was less needed and patriotism more needed in congress than just now. Lucky the district that is represented by one who has an eye single to the good of his country, and not to his particular constituency.

The facts of the case are being brought to the surface and examined. It is found for example, that all who are nearest Hayes are opposed to the bill. It is sufficient to name John Sherman and Hayes' home organ, the Columbus Journal. All who are nearest Tilden are in favor of the bill. For instance, Hewitt and the rest of the democratic delegation from New York. This leads the Bohemians to declare that Hayes is opposed to the measure. He is however as dumb as an oyster. Morton and Sherman both construe the bill as an abandonment of every vital point for the absolute success of Hayes—in other words, it does not permit Mr. Ferry to carry out the revolutionary scheme they have nursed so long and faithfully. This is sad.

If the bill should be defeated it is certain that it would lead to a breach in the republican ranks that would be fatal to Ferry as a sole counter. Ferry's chance of becoming a national returning board is gone. Edmunds declares that he has no more power to count the vote than one of the pages, and he will be backed by all the republicans—from nine to twelve in number—who do not put party ahead of country in this emergency.

The debate promises to be a memorable one. The best lawyers and closest reasoners of the two houses will take part in it, if time and the previous question permit. The Herald's correspondent says Conkling, Bayard, Thurman, Gordon and Blaine will speak in the senate, and that Payne, Hewitt, Kasson, Garfield, Hunton, Foster, McCrary, Lamar, Seelye, Field, Hoar, Tucker, Knott, Willard, Springer, Hale, Frye and perhaps others will be heard in the house. The fate of the republic depends, not so much upon their words, as upon their votes and those of their colleagues; for this is the week of history.

THE COTTON CROP.

There is no little figuring, says the St. Louis Republican, "going forward already among cotton men to determine as near as may be what the extent of the cotton crop of 1876 will prove to be when it is all marketed. One writer in the New York Daily Bulletin boldly puts it at not less than 4,500,000 bales and makes plenty of figures to sustain his argument. Whether he is a few thousand bales out of the way or not is of little consequence. Enough has already been received to convince the most sceptical that a liberal crop was grown last year, in fact too much to allow of much profit to planters. The south would grow rich much faster than it now does if it could limit its production of cotton to three million bales. The consumption of the world is fully satisfied with three million bales added to what is produced in other countries. The four and a half million bales does not bring the south as much money as the three million bales would, and the land and labor devoted to the other one and a half million bales represents 2,000,000 acres of 'other crops.'"

A DISTINCTION WITH A DIFFERENCE.

It was only a little while ago that Polo Jim's paper was sneering at the code as a relic of southern barbarism, but now that young Bennett has had recourse to it, the virtuous Herald will doubtless, as soon as the May affair blows over, allude to duelling as a very chivalric pursuit. But while Jim's understrappers are engaged in writing their mild essays on the subject, they should bear in mind that the code as interpreted by the southern "barbarians" does not contemplate firing paper wads at an antagonist across a state line, and then fleeing from the scene as though satan himself were after him. We call the Herald's attention to this important subject now in order that there may be neither mistakes nor confusion in the matter.

In Georgia last year there were 147 failures, with liabilities of $3,110,145, against 165 failures, with liabilities of $6,128,404 in 1875; 118 failures with liabilities of $1,845,000 in 1874; and against 67 failures, with liabilities $2,113,000 in 1873. Number reported in business at Georgia last year, 6,928; in Alabama, 4,961; in South Carolina, 4,511, and in Tennessee, 8,151.

SUPREME COURT.

DECISIONS RENDERED IN ATLANTA, GA., JAN. 23, 1877.

Hon. Hiram Warner, Chief Justice; Hons. L. E. Bleckley and James Jackson, Judges—Exclusively Reported for the Constitution by Henry Jackson, Supreme Court Reporter.

Hasten, et al., vs. Heirs of B. M. Smith. Ejectment, from Lumpkin.

WARNER, C. J.

This was an action of ejectment brought by the plaintiffs as the heirs at law of Benjamin F. Smith, deceased, against the defendant, to discover the lands therein described. On the trial of the case, the jury, under the charge of the court, found a verdict in favor of the plaintiff. The defendant made a motion for a new trial on the various grounds therein set forth, which was overruled by the court, and the defendant excepted. It appears, from the evidence in the record, that Benjamin F. Smith, who was the owner of the premises in dispute, died in 1858, leaving a will, by one clause of which he directed that no part of his real estate in Georgia should be sold under thirteen years from the date of his will made in 1858, unless for the want of funds for the education of his children, or other indispensable calls for funds, and if sold before that time, or any part thereof, "I desire it to be sold by mutual consent of so many of the executors and executrix as may be living." By another clause of the testator's will, he desired that, as fast as his children arrived at the age of twenty-one years, they should have paid to them their portion of the property devised to them by his will, if they should so desire, and under circumstances which, in the opinion of both the executors and executrix would be expedient, they and each of them may have their respective portions at an earlier period of time, and to effect this, my intention, I do hereby vest in my executors and executrix full power and authority to dispose of my real estate as above expressed in fee simple, or for a term of years, or otherwise, in as full and large a manner as I myself could do if living. The testator appointed A. G. Wimpy, George Kellogg, and his wife, Nancy M. Smith, his executors and executrix, only two of whom, (to-wit) Mrs. Smith and Wimpy qualified, and the latter was subsequently released from his executorship by an act of the general assembly. It also appears from the evidence in the record, that in August, 1863, Nancy M. Smith, executrix as aforesaid, conveyed the premises in dispute to the defendant, Neisler, for the consideration of $4,000. On the foregoing statement of facts, the main controling question in the case was whether the legal title to the premises in dispute was in the plaintiffs', as the heirs at law of the deceased, so as to enable them to recover the possession of the same in that capacity in an action of ejectment? In our judgment, the legal title to the land sued for was not in the heirs-at-law of the deceased, inasmuch as he did not die intestate, but on the contrary died testate. If the executrix had no legal power or authority under the testator's will to sell the land at private sale, then the legal title thereto is in her for the purpose of executing the testator's will, and not in his heirs-at-law. If the executrix had the legal power, and authority under the testator's will, to sell and convey the land at private sale, then the legal title thereto is in the defendant Neisler, to whom she conveyed it, and not in the plaintiffs, as the heirs at law of Benjamin M. Smith, and consequently they were not entitled to recover the possession of the land in that capacity in action of ejectment, and the court below erred in overruling the defendant's motion for a new trial. Let the judgment of the court below be reversed.

H. P. Bell; W. P. Price; J. N. Dorsey, for plaintiffs in error.
Estes & Boyd, contra.

McClure vs. Williams. Equity, from White.

WARNER, C. J.

This was a bill filed by the complainant as the administrator of Alonzo Horshan, deceased, against the defendant, who was the widow of said deceased (since intermarried with McClure), praying for an account and settlement in relation to certain described property alleged to be in her possession under a purchase made by her at the administrator's sale of her deceased husband, under the circumstances therein alleged and set forth, but which had not been paid by her. On the trial of the case, the jury, under the charge of the court, found the following verdict: "We, the jury, find for the plaintiff, and that the land in dispute belongs to the estate of Moses Horshan, yet to be administered by the administrator for distribution to the heirs and creditors of said estate, and that the injunctions be made perpetual." Upon this verdict the chancellor entered a decree that the complainant, as the administrator of Moses Horshan, do recover of the defendant, Sarah Horshan, now Sarah McClure, the premises in dispute, and that the clerk issue a writ of possession for said land, to be administered as the property of Moses Horshan. The defendant made a motion to set aside the verdict and decree, and for a new trial, on the various grounds alleged therein, which was overruled by the court, and the defendant excepted. It appears, from the evidence in the record that Moses Horshan was the father of Alonzo, that after his death, the complainant, Williams, and Alonzo became the administrators on his estate, and as such administrators sold the land now in controversy at public sale, which was bid off by Deal and Harris, who never paid a dollar for it. There was an agreement between them and Alonzo that he was to take their bid, and the administrators made a deed for the land to Harris and Deal, and they made a deed to Alonzo, and all the deeds were turned over to the complainant Williams as escrows, to be delivered to Alonzo, when he paid for the land, which he never did, although he went into the immediate possession of it. Alonzo Horshan died in 1862, and the complainant, Williams, became his administrator, and as such sold the land as the property of Alonzo Horshan in 1864, when it was purchased by his widow, Sarah Horshan, now Mrs. McClure. She has never paid anything for the land, and no titles were made to her for it, although she remained in possession of the land up to the time of trial. At the time she purchased the land she knew that her former husband, Horshan, had not paid anything for it. In view of the facts of the case, can the complainant, either as the administrator of Moses Horshan, or as the administrator of Alonzo Horshan, recover the possession of the land from the defendant by the decree of a court of equity, for the purpose of again administering it as the property of either of his intestates' estates? In our judgment, he cannot. The most that the complainant can now claim, as the administrator of either of his intestates, is an equitable lien upon the land in the possession of the defendant, Mrs. McClure, formerly Mrs. Horshan, for the unpaid purchase money due therefor by her deceased husband, Alonzo Horshan, at the time of his death, she having purchased the land as the property of her deceased husband at his administrator's sale, with full knowledge that the land had not been paid for by him, and she not having paid anything for it, the equitable relief to which the complainant is entitled is to have the land sold by a decree of the court, and so much of the proceeds thereof as shall be found to have been due for the land by Alonzo Horshan at the time of his death, to be paid to the administrator of Moses Horshan, and the balance, if any, be paid to the defendant, Mrs. McClure, formerly the widow of Alonzo Horshan, who was the purchaser of the land as his property, after his death, upon final settlement between her and the complainant, as administrator of Alonzo's estate. The complainant was a competent witness to testify in the case, except as to any contract made between himself and the deceased, Alonzo Horshan, in relation to the land. There was no error in admitting in evidence the record of the equity suit in Habersham superior court.

Let the judgment of the court below be reversed.

J. F. Langston; C. H. Sutton, for plaintiff in error.
Wier Boyd; S. M. Netherland; A. F. Underwood; J. B. Estes, for defendant.

Melving vs. Charles. Motion, from Forsyth.

WARNER, C. J.

This was a motion to set aside a judgment in the superior court of Forsyth county, on the ground that the pleadings were so defective that no valid judgment could have been rendered thereon, and because the pleadings and verdict did not not authorize the judgment. The court overruled the motion, and the defendant excepted. It appears, from the record and bill of exceptions, that the plaintiff sued out an attachment against the defendant on the ground that he was a non-resident of this state, which was levied on certain described lots of land as the property of the defendant. The plaintiff filed a declaration in the clerks office in which he alleged the defendant's indebtedness to him, and prayed that process might issue requiring the defendant to be and appear at the next superior court and answer his complaint. It was agreed that the declaration was filed at the first term of the court after the attachment was issued, and that the presiding judge had made an entry on the docket opposite the attachment case "declaration filed," and that there was no other case pending in said court between the same parties. The declaration was not served on the defendant, nor is there any averment in the plaintiff's declaration that an attachment had been levied on the property of the defendant, and not even the slightest allusion therein to any process of attachment whatever. To this declaration, there was no issuable defense filed by the defendant on oath or otherwise, but there was a verdict of a jury on that declaration finding the amount of the plaintiff's demand, and a judgment was entered upon that verdict for the amount thereof, to be levied, and made out of certain described lots of land, without any reference whatever to the said lots of land having been attached as the property of the defendant. There are two ways by which a plaintiff can obtain a judgment against a defendant and sell his property—the one by filing a declaration against him and serving him with process in the manner prescribed by law, the other by issuing an attachment against him and seizing his property, when he is in a condition to authorize that process under the law. When the defendant has been served with process as provided by law, then the court has jurisdiction to render a judgment which will bind all his property, but when the defendant cannot be served with the ordinary process of the courts, his property, if within the jurisdiction of the state, may be attached, and the seizure of defendant's property by the process of attachment, will give the court jurisdiction to enable the plaintiff to file his declaration against the defendant, provided he will allege therein that the defendant's property has been attached, and instead of praying process against the defendant pray that the court will render a judgment that the property levied on may be sold in satisfaction of his demand. In the case now before us, there was no service of process on the defendant which would have entitled the plaintiff to a general judgment on his declaration so as to have bound all the defendant's property, and there is no averment in the plaintiff's declaration that the property of the defendant had been attached, so as to authorize the court to render a judgment for the sale of that property in satisfaction of the plaintiff's demand. Besides, the pleadings and verdict did not authorize the judgment which was rendered, there being no issuable defense filed on oath. The presiding judge should have rendered the judgment, even if the averments in the plaintiff's declaration had been sufficient to have authorized a judgment. In view of the facts as disclosed by the record in this case, the court erred in not setting the judgment aside. Let the judgment of the court below be reversed.

H. P. Bell; H. L. Patterson; C. D Phillips, for plaintiff in error.
R. P. Lester; George N. Lester, for defendant.

Castleberry vs. Black. Ejectment, from White.

WARNER, C. J.

This was an action of ejectment brought by the plaintiff against the defendant to recover the possession of a lot of land in the county of White. The defendant claimed title to the land by prescription, under the provisions of the 2683d section of the code, and the only question made here by the plaintiff in error was whether the quit claim deed, under which the defendant went into the possession of the land, was such written evidence of title as that seven years' possession under it would give a good title by prescription. The court below held that it would, if the defendant purchased the land in good faith, believing that he bought a good title. To which the plaintiff excepted. This case comes within the ruling of this court in McCamy vs. Higdon, 50th Ga. Rep., 660, and is controlled by it. See, also, Brown vs. Wells, 44th Ga. Rep., 573.

Let the judgment of the court below be affirmed.

M. G. Boyd, for plaintiff in error.
Wier Boyd; Underwood & Kuinsey; C. H. Sutton; J. B. Estes, for defendant.

Murray vs. Phinizy & Co. Complaint, from Oconee.

WARNER, C. J.

This was an action brought by the plaintiffs against the defendant on a promissory note for the sum of $12,240 98, dated 24th of February, 1875, and due one day after date. When the case was called for trial, the defendant, by his counsel, made a motion for a continuance of the same and for time to plead thereto, on the ground that for the last five years the defendant had been incapable of managing his own estate by reason of imbecility of age, he now being eighty-six years old; that he had not sufficient intellect to comprehend his legal rights and liabilities, or to take the necessary steps to defend said suit, etc. The court after hearing evidence as to the defendant's mental capacity (which was conflicting) overruled the motion for a continuance of the case, but granted to the defendant reasonable time to plead to the plaintiff's action, which the defendant, by his counsel, declined to do, and the court entered up a judgment for the amount of the plaintiffs' demand, whereupon the defendant excepted. Inasmuch as the evidence was conflicting as to the defendant's mental capacity, we will not interfere to control the discretion of the court in refusing to grant the motion for a continuance of the case. Besides, it is not very apparent to us why the defendant did not have as much mental capacity to direct his counsel to file his pleas to the plaintiff's action (if he had any meritious defense thereto) as he had to direct his counsel to prosecute his writ of error to this court. Let the judgment of the court below be affirmed.

Emory Speer, for plaintiff in error.
Pope Barrow; Leonard Phinizy; A. S. Erwin, for defendants.

Cox, Hill & Thompson, vs. Stanton. Kayne, Spring, Dale & Co., vs. Stanton. Appeal, from Warren.

WARNER, C. J.

This case came before the court below on the following agreed statement of facts, to-wit: That the note sued on was given by the defendant, Stanton, to the plaintiffs, Cox, Hill & Thompson, for $129 28, January 21, 1876, and was due thirty days thereafter, on which was the endorsement "Received on the within note $29.28, and we hereby renounce all our right, claim, or interest to any more than one hundred dollars for principal on within note, signed Cox, Hill & Thompson, per C. S. Dubose, attorney." Plaintiffs only claimed and demanded one hundred dollars on said note, and obtained a judgment therefor. The defendant, Stanton, admitted that he gave the note, lived in the district, but had never agreed to the entry of the credit on the note; had not, and would not, consent to receive it as a gift, and that it was made against his will, and for that reason the Justice's court had no jurisdiction of the case.

After argument, the court decided that the plaintiffs had no legal right to reduce the amount of the note by entering the credit thereon, without the consent of the defendant, so as to give the justices court jurisdiction, and granted an order setting aside the judgment; whereupon the plaintiffs excepted. By the constitution of 1865, and the 4182d section of the Code, justices of the peace have jurisdiction in all civil cases where the principal sum claimed does not exceed one hundred dollars. Upon the face of the note sued on, the justice of the peace had prima facie jurisdiction to have rendered a judgment thereon, but when it was shown by the evidence that the credit of $29 28 had been entered on this note by the plaintiffs, without the consent of the defendant, contrary to his wishes and will, he payment, in fact, having been made by him on the note, the justice of the peace did not have jurisdiction of that case, under the evidence before him, to render a judgment in it, and should have dismissed the same. The note was an entire contract between the plaintiffs and defendant, it took two parties to make it, and required the consent of both parties to the contract to alter and reduce the amount of it so as to bring it within the jurisdiction of a justice of the peace. The defendant may not have been willing to have made a contract which would have authorized a justice of the peace to adjudicate his rights under it, and shall the plaintiffs be allowed, without his consent, to force him to litigate his rights in that tribunal, by reducing the amount of the contract under the pretext that they do not claim but one hundred dollars under that contract? In our judgment, they could not legally have done so. The attempt to reduce the amount of the note by the act of the plaintiffs' alone, without the consent of the defendant, did not alter or change the contract, as it was originally made by the parties to it. The facts of this case distinguish it from the case of Wilhelms vs. Noble Brothers & Co.—36th Ga. Rep., 599. By the law of this state, the oldest judgment creates a prior lien on the defendant's property, and to allow plaintiffs to alter and reduce contracts at their option so as to bring them within the jurisdiction of a justice of the peace, and thus obtain a prior judgment lien upon the property of defendants, would be contrary to public policy, and open the door by which plaintiffs might fraudulently obtain prior judgment liens on the property of defendants to the injury of third persons. We find no error in granting the order setting aside the judgment of the justice for want of jurisdiction of the case on the statement of facts contained in the record.

Let the judgment of the court below be affirmed.

C S. DuBose; A. S. Morgan, for plaintiffs in error.
James Whitehead, by brief, for defendant.

Carr vs. Smith. Award, from Hancock.

WARNER, C. J.

This case came before the court below on exceptions to the award of arbitrators, upon a question submitted to them, as to whether a certain execution in favor of Carr against Smith, had been settled. The arbitrators, under the evidence submitted to them, found, by their award, that the execution had been settled. Carr filed exceptions to the award on various grounds, which were overruled by the court, and he excepted, and now assigns the same as error here. The alleged mistake of law committed by the arbitrators was in receiving parol evidence as to the settlement between the parties in October, 1869, when the evidence showed that that settlement was reduced to writing and handed to Pounds, defendant's agent. Pounds, the defendant's agent, to whom the written memorandum of the settlement was proved to have been delivered by two witnessess, was examined as a witness, and stated that he never had in his possession the written memorandum of the settlement, and that if he ever had it, it was lost or mislaid. There was no notice served on the defendant or his agent to produce the proper writing. There was no mistake of law on the part of the arbitrators in admitting parol evidence of the settlement, after proof of the loss of the written memorandum—code 3832. There was a conflict in the recollection of the witnesses as to whether the execution in dispute was included in the settlement between the parties. According to the recollection of some of the witnesses, it was included, but according to the recollection of others, it was not included. The majority of the arbitrators found, by their award, that the disputed execution was included in the settlement, and there is sufficient evidence in the record to sustain their award. We find no error in overruling the defendant's exceptions to the award of the arbitrators, on the statement of facts disclosed in the record. Let the judgment of the court below be affirmed.

J. T. Jordan, for plaintiff in error.
C. W. DuBose; C. S. DuBose, for defendant.

Crafton, sheriff, et al. vs. Toombs. Rules, from Wilkes.

WARNER, C. J.

This was a rule against the sheriff by movant, Robert Toombs, to which Wynn, Simms & Co. and Green Bros. were made parties.

In response to the rule nisi, the sheriff answered substantially as follows:

That on the 7th day of August, 1876, as sheriff, he levied a fi fa in favor of Simms & Truitt vs. W. A. Ficklen on a certain tract of land in Wilkes county, reciting in the levy that fi fa was levied on the entire title to said land which was held by W. A. Ficklen aforesaid under a bond for title from Wynn, Simms & Co., and Green Bros., who held said Ficklen's deed thereto, subject only to application of Mrs. Julia T. Ficklen for homestead in said land, and that written notice of said levy had been given to all parties in interest.

Respondent further says that he advertised said land for sale under said levy by stating that the whole title to said land was to be sold subject only to the said homestead application, and that he gave written notice in due time to said Wynn, Simms & Co., and Green Bros., that on the first Tuesday in September, 1876, he sold the said land in accordance with said levy and advertisement for $505.

That further answered that he had this sum of money in his hands and is ready to pay over the same, but that he has several fi fas in his hands claiming said fund.

1st. He has the fi fa of Simms, Truitt & Co., under which said sale was made.

2d. The fi fa of the movant, R. Toombs, of older date than any fi fa against W. A. Ficklen.

3d. The deed of Wynn, Simms & Co. and Green Bros. from W. A. Ficklen to said land, of older date than any fi fa against said Ficklen, duly executed and recorded, and two fi fas for installments due under said deed, and for which judgment had been obtained in the superior court of Wilkes county. Under these circumstances he desired the direction of the court.

The deed referred to in the sheriff's answer was then placed in evidence, the same having been duly executed by the defendant in fi fa, W. A. Ficklen, to Wynn, Simms & Co. and Green Bros., and the two fi fas belonging to the same parties, which it was admitted were under the same deed, and the other fi fas therein mentioned.

No traverse was filed to the answer of the sheriff by the movant, but the said movant moved to make the rule absolute against the sheriff, which was allowed by the court, and the rule was ordered to be made absolute on the foregoing facts and answer, the court holding that, under a proceeding of this kind, the claims of Wynn, Simms & Co. and Green Bros. could not be considered by the sheriff, to which ruling and discussion the sheriff's Wynn Simms & Co. and Green Bros. excepted.

The question made by the record in this case is whether, assuming all the facts to be true as set forth in the sheriff's answer to the rule taken against him for the money in his hands arising from the sale of the property of the defendant in execution, the same were sufficient, under the law, to protect him from the payment of the money to the oldest fi fa in his hands against the defendant? The property was levied on by the sheriff by virtue of a fi fa in favor of Simms & Truitt against Ficklen, the defendant therein, and was sold as his property for the sum of $505. The fi fa of Toombs against the defendant, Ficklen, was placed in the sheriff's hands and claimed the money arising from the sale of the defendant's property, on the ground that it was of older date than any other fi fa in the sheriff's hands against him, and, therefore, had a prior lien on the money arising from the sale of the defendant's property. The land was levied on by the sheriff as the property of the defendant, and sold by him as the property of the defendant, and the money in his hands was the proceeds of the sale of the defendant's property. The sheriff was bound, in the discharge of his duty, after payment of all legal costs, to have appropriated the money arising from the sale of the defendant's property to the oldest fi fa against the defendant in his hands. The fi fa of Simms & Truitt, under which the land was sold, was not entitled to claim the money because it was of younger date than Toombs' fi fa. The fi fa of Wynn, Simms & Co., and Green Bros. against the defendant were not entitled to claim the money, for the same reason, both being of younger date that the Toombs fi fa. Wynn, Simms & Co., and Green Bros. were not entitled to the money under their deed, because it created no lien on the money in the sheriff's hands, it not appearing by the sheriff's answer, or otherwise, that any part of the purchase money had been paid, which must have been done to bring the case within section 3556 of the Code. It follows that there was no error in making the rule absolute against the sheriff in favor of Toombs, the plaintiff in the oldest fi fa in the sheriff's hands.

Let the judgment of the court below be affirmed.

W. M. & M. P. Reese; P. H. Colley; W. M. Lewis, for plaintiffs in error.
R. Toombs, for defendant.

Parker, executor, vs. Dowdy. Complaint, from Lumpkin.

BLECKLEY, J.

1. When to a suit for the recovery of a money legacy, commenced after the expiration of twelve months from the executor's qualification, the executor sets up outstanding debts against the estate sufficient to absorb all the assets, the burden is upon the defendant to support the plea by some evidence that the alleged debts are demands for which the estate is probably liable. It is not sufficient to prove simply that suits for them are pending against him.

2. When the evidence, as found in the record, purports to represent only the substance or the effect of documents introduced on the trial, and is so vague and meagre that this court can not ascertain whether the charge of the court complained of produced a wrong verdict or not, a new trial will not be ordered for error in the charge.

3. By the record, it does not appear that the verdict is contrary to law or to evidence.

Judgment affirmed.

Wier Boyd; M. G. Boyd, for plaintiff in error.
W. P. Price, for defendant.

Neal, et al. vs. Erwin. Ejectment, from White.

BLECKLEY, J.

1. In order for the defendant in ejectment to rely on a deed as color, in establishing title by prescription, it is not necessary for him to show affirmatively that the person who made the deed had either title or possession. It is enough that nothing appears indicative of fraud.

2. Prescription runs in favor of one who has color of title and possession under it, whether he holds the possession in person, or by a tenant.

3. The verdict is not contrary to law or to evidence.

Judgment affirmed.

Wier Boyd; Underwood & Kinnsey; M G. Boyd, for plaintiffs in error.
C. H. Sutton; W. R. Williams, for defendant.

Ozmint vs. Daniel. Certiorari, from Jackson.

BLECKLEY, J.

Where a certiorari involves no legal principle, but merely draws in question the sufficiency of the evidence to support the verdict rendered by a jury in the trial of a case of forcible detainer, the judgment of the superior court holding the evidence sufficient, and therefore dismissing the certiorari, will not be disturbed unless palpably erroneous.

Judgment affirmed.

S. P. Thurmond; Pope Barrow, for plaintiff in error.
Emory Speer, for defendant.

—Stop that coughing; if you do not it may kill you. A bottle of Dr. Bull's Cough Syrup only costs you 25 cents, and its timely use may save your life.

—Is it Possible, that one will be so foolish to suffer from Catarrh, Cold in the Head, bad Smells in Nose and Throat, when by this new antiseptic principle, Dr. J. H. McLean's Catarrh Snuff, you can be cured. Trial Boxes, by mail, only 50 cts. Dr. J. H. McLean, 314 Chestnut, St. Louis, Mo.

St. James Hotel, Florida

This favorite House is now open. Passenger Elevator, good table and other appointments found in first-class Hotels. Special arrangements for rooms by the week or season. Rooms secured by mail or telegraph. Address J. R CAMPBELL, Manager. dec9—d2m

Ten Cent Column.

Advertisements of "Wanted," "For Sale," "To Rent," "Lost and Found," &c., will be inserted in this column at Ten Cents a line, each insertion. ☞ All advertisements in this column must be paid for in advance; and none will be taken for less than thirty cents.

WANTED.—To rent furnished rooms suitable for house keeping containing two chamber suite, cook stove and fixtures. Location within fifteen minutes' walk of Railroad Depot. South or west side preferred. Or the above furniture with rooms. Address QUIDA, this office. jan24—d1t

FOR SALE—A second-hand set of Blacksmith Tools. Good as new. For particulars apply to, or address, Wm. B Smith, Jonesboro, Ga. jan24 d1t&wst

WANTED—To rent a small comfortable dwelling—2 or 3 rooms, in a good neighborhood—handy to business. Address "H," care this office. jan24—d1t

FOR RENT—That large front Store and splendid basement—32 by 91 feet—next the bridge on Broad street in "Granite Block." Basement opening on Railroad. Also, the old Library Rooms and several nice up stairs rooms. Apply to Wm. A. Hawson or F. M. Coker. jan24—dec05

FOR RENT—Cottage 3 rooms, dressing room and kitchen. Would exchange for a farm near city. H. F Leak, 39 Whitehall. jan21-dsun wed

FERTILIZER.—I will have for sale "STRONG AMMONIATED DISSOLVED BONES," the highest grade article offered in this market. Testimonials of the highest character. Send in your orders. The supply will be limited to 500 tons. Cotton option 15 cents per pound. C. H. Strong, corner Marietta and Bridge streets. jan23—d1f

WANTED TO BUY A HOUSE. Leave description etc., of a house convenient to Capitol, costing 2 or $3,000 with John B. James. jan23—d3t

WANTED—Situation as Clerk in a store. Hardware preferred. Can furnish good recommendations from last employer. Address T. S., Post office jan23—d3t

WANTED—A white girl, from 12 to 14 years of age, as a companion for a lady. Must come well recommended. Apply at 45 Simpson street. jan23—d3t

FOR RENT—A very desirable Store House in "James' Block" for rent. Apply to Snead & Co. jan 23—d1tfeb1

MEDICAL LIBRARY—Embracing all the Standard authors—at private sale, very low, by Joyner & Ellis, jan21 d2t

LOST—Between the Passenger Depot and the National Hotel, an India Rubber Tobacco Pouch, containing a $50 bill and some small change. The finder will be liberally rewarded by returning the same to the Clerk at the office of Markham House. jan21-d3t

SETTER LOST—Marked white and black spots; tail partially cut; black head and nose. $10 00 reward for the delivery of the dog at 260 old Peachtree street. jan21- d3t

LOST—A small pair of post-office Scales from the counting room of The Constitution office. A liberal reward will be paid for the return of the scales. jan21-d3t

WANTED—To purchase a three or four room Cottage with Kitchen attached, conveniently located to business, by monthly installment Address Lenox, Key Box 286. jan19-d1f

LADIES and gentlemen, desirous of instruction in German, can be accommodated at low terms, by applying to G. Oesterich, No. 8 Mark hams street. jan21—d3t

TO THE LADIES OF ATLANTA.—R. S. Critcher, of Murfreesboro, Tenn., is in the city with some new and valuable attachments for all kinds of sewing Machines. They save labor, time, thread and temper, and as an inducement for you to buy he takes old attachments in part pay. Do not fail to see them when he calls at your residence. jan23—d1t

A GREAT BARG IN!—Twenty-five Tons of "KAINIT," (or German Potash Salts,) a SPLENDID FERTILIZER for Cotton, etc., as proven by analysis of Mr. W. J. LAND, Chemist to the Department of Agriculture. Apply to P. O. Box 859. jan17 d1w

WANTED—Good Traveling Agents to sell an article that is used in every business house; also, one used in all dwellings. Apply or write enclosing stamp, to Dr. J. H. Rorer, Cannon House. 8 to 10 a. m. jan17—d1f

FOR SALE—A small Farm of 40 acres, 7½ miles from car shed, two-thirds in cultivation, balance well timbered; on it is about 2,000 bearing fruit trees and grape vines, a small house and a well of good water. Address A. Lambert, P. O. city, or apply to his Nursery, near the Cemetery, on Fair street. jan13—d2w

HOT BED SASH, and all sizes of Sash, Doors and Blinds, at Bottom Prices. 26 Decatur street. Jennings & Co. jan19—d3w

Atlanta Musical Institute

BRANCHES TAUGHT: Piano, Organ, Harmony, Cultivation of the Voice, Flute and Clarionet, also, Classes for Guitar, Violin, Cornet, etc. 180 Free Lessons in Vocal Music. English and German spoken. German taught. Scholars can have board. Address for Circulars, PROF. GEO. F. BOSWORTH, dec28—d1y 67 Whitehall st

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Neat--Cheap--Prompt

EVERYTHING PRINTED IN THE BEST STYLE OF THE ART--FROM A CARD TO A POSTER.

Mercantile and Railroad PRINTING.

Letter Heads, Bill Heads,
Pamphlets, Envelopes,
Cards, Tags, Statements,
Handbills, Posters,
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Bank Checks, Drafts,
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Diplomas, Catalogues,
School Circulars, &c., &c.

LEGAL BLANKS

of the latest and most approved forms always on hand.

All the Forms in Bankruptcy, including Assignees' Title Deeds.

☞ *Orders from abroad will have prompt attention. Address,*

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New Advertisements.

Estray Notice.

TOLLED before me by Joseph L. Graves, of the 1240th district, G. M., of Fayette county, Georgia, on the 20th day of January, 1877, two estray Cows, one pale red Cow, unmarked, nude medium size, mully headed, about eight years old. One bull Yearling, dark brindle, under bitt of ear, about two years old. Appraised by W. B. Doss and Marion Davis, to be worth, the Cow seven dollars and Yearling three dollars, and twenty cents a day to keep.

The owner is hereby notified to come before me, prove property, pay cost and expenses, and take them away, else they will be sold on the premises of said J. L. Graves, the taker up, on the 30th day of January, 1877.

L. B. GRIGGS, Ordinary.
jan24—w1t

Notice of Dissolution.

THE firm of McKoy, Roberts & Co., is this dissolved by mutual consent Mr. Roberts retiring. The business will continue as heretofore under the firm name of McKoy & Williams, who will settle all claims against and receive all amounts due the old firm. Mr. Roberts will remain with the firm for the present. We thank the public for past patronage and hope to continue to merit a continuance of the same. All persons indebted to the firm will please come forward and settle at once.

JNO. J. McKOY,
E. M. ROBERTS,
N. C. WILLIAMS.

Atlanta, Ga., January 15, 1877.

IN retiring from the firm of McKoy, Roberts & Co., I take great pleasure in recommending the new firm of McKoy & Williams to my friends and the public generally.

jan24—d3t E. M. ROBERTS.

To the stockholders

—OF THE—

ATLANTA COTTON FACTORY

YOU are earnestly requested to meet at the CHAMBER OF COMMERCE next SATURDAY NIGHT (27th) at 7 o'clock promptly, to consider the subject matter and ways and means of starting the Atlanta Cotton Factory.

Every subscriber who has paid up his dues, and every one who has not, should be present. Every Capitalist and Real Estate owner, Professional and Business man, who looks to the future prosperity of the city should be present.

The Directors have done all in their power, but cannot start the Mill without money. It is with you whether or not this enterprise should fail.

G. W. ADAIR, President.
jan24—d4t

Dry Goods and Clothing.

THE OLD RELIABLE STORE

—OF—

M. MENKO & BRO

Wholesale and Retail Dealers in

Clothing Dry Goods

—AND—

Furnishing Goods.

WE are now daily receiving our large and elegant new stock of goods just from market. We shall expect all of our old customers to trade with us, and many new ones.

We will make it to the interest of the public to deal with us

M. MENKO & BRO.,
Corner Whitehall and Alabama streets,
sept7-dtw Opposite James' Bank

MERCHANTS'

Inland Route to Florida.

NO SEA SICKNESS.

THE MAGNIFICENT STEAMER

J. B. SCHUYLER,

Captain L. W. BURNS.

BEING elegantly fitted up with state-rooms and every convenience of a first class hotel, will sail from Fernandina's wharf, Savannah, Georgia, on SATURDAY, December 9, 1876, at 10 o'clock a. m., and every WEDNESDAY and SATURDAY thereafter at same hour, landings at Doboy, Darien, St. Simon's, Brunswick, St. Mary's, Fernandina and Jacksonville, connecting with all points on the upper St. John's and Gulf Atlantic rivers; and at Darien with steamer Halcyon for Oconee and Ocmulgee rivers on a through tariff. Returning, leaves Jacksonville every Thursday and Monday.

Through tickets issued North for any points in Florida will be received for passage, including meals and state rooms.

Freight taken at lowest rates, and received at all times.

Cash will be paid for all purchases on account of this steamer. Parties are therefore cautioned against consigning any bills for such account.

On her Wednesday trip Schuyler will run through to Palatka only, touching at Jacksonville and points on the St. Johns. On her Saturday trips will stop at all Landings named above.

J. B. LAWRENCE, General Agent, Savannah, Ga.
J. W. HANCOK, Proprietor.
jan23 d3mo

Business Cards.

Marietta Chair Factory

MARIETTA, GEORGIA

BRUMBY & MYERS, Proprietors.

THE best standard Chair and the lowest prices guaranteed. Send for our reduced price list and photographs before sending your orders elsewhere. aug30—d3tSept30, 1877

L. L. THOMASSON,

DEALER IN

Grain, Hay, Bacon, Lard,

FLOUR, &c., Market street, Chattanooga, Tennessee. New Fire proof Warehouse at foot of Market street. apr30, 1876—d1y

Dentists.

HOLLAND & GRENSHAW,

DENTISTS.

Office, 23 Whitehall street, ATLANTA, GEORGIA. June7, 1875—d1y

L. D. CARPENTER,

Dentist,

No. 47

MAUREEN COSHA DHAS.

[From the Dublin University Magazine.]

Maureen (or the Dhas!
Ye the purtiest lass
Ever walked on shoe-leather or throve a fond mail;
From your wee little feet
And yer flure so sweet
Are too much for the brain of a poor Irish lad.

Maureen Cosha Dhas!
When I see ye at mass
Saints above! I'm afraid that is why I pray;
An' th' crown o' my hat
When I look into that,
Has yer purty face there, wid the dimples at play.

Maureen Cosha Dhas!
Thin the models yeh cross,
To your father's new cabin just under the hill,
Th' divil we're to-night,
Tempted Tony of ould
Wid a woman—Bedad! we've th' pattern still.

Maureen Cosha Dhas!
(Yer ath'sly little last
Wid yer "Too o' th' mornin'," thin yeh go on
Just per ourly eyes dance
And yeh gives me a glance
That sez "Dinny, agra! have yeh nothin' to say?"

Maureen Cosha Dhas,
I'll not let yeh pass
Th' next time I meet yeh at fair or at wake;
Me face yeh destroy
An' that's hard on a boy
That 'ud fight a whole faction all' die for yer sake!

Maureen Cosha Dhas,
We'll sit on the grass
Wid me arm roun' yer waist, and a tear in yer eye:
And yeh'll say, "Darlin' Dinnis!
Spake to father Maginnis;
Shure I'd rayther do that, now, nor think that yo'd die!"

BOUNDABOUT IN GEORGIA.

—Col. Randall, of the Augusta Constitutionalist, may with great propriety claim that he has a joke on H. W. G., and to have a joke on H. W. G is a very serious matter.

—The Augusta editors are still engaged in feeding the animals in Howe's menagerie. Col. William Moore has become so expert that he can fling a chunk of beef thirty yards through a lady's lace veil right into the ferocious jaws of the royal Bengal.

—Judson W. Lyons, colored, has been appointed internal revenue gauger with headquarters at Savannah. Lyons was appointed by Lott Morrill.

—The Presbyterian church at Forsyth was robbed the other night.

—Forsyth claims to be as good a cotton market as Macon.

—Daniel Sebbury, a young man in Columbus, has been put in jail for robbing a store.

—Walter H. Johnson, postmaster at Columbus, was married yesterday morning to Miss Florence Verstille.

—Mr. O. C Phelps, an old and highly esteemed citizen of Forsyth, is dead.

—The bank at Forsyth has received several thousand dollars of silver coin.

—Dr. George N. Holmes, of Macon, is dead.

—The gin house of Colonel Robert Wayne, of Laurens county, together with several bales of cotton, has been burned.

—Wild ducks are unusually numerous in Wilkinson county.

—Mr. James Stevens, of Wilkinson county, is dead.

—McDuffie county fox-hunters sometimes catch two reds before breakfast.

—The first number of the Walton County Vidette comes to hand with every appearance that it will be a success. It is neatly printed, carefully edited, and apparently well supported.

—We regret to learn of the death of Mrs. Fannie Boynton, of Griffin.

—Rome Courier: Mr. H. H. Miller, of Cedar Bluff, Ala., owns a cow, of the Ayershire breed, that is believed to beat the world in quantity of milk. She gives 10 gallons a day, and this has been witnessed, not only by the owner, who is entirely trustworthy, but by Si Daniel, late sheriff of that county, and many others. This almost incredulous amount of milk has been drawn from this cow for several days in succession and there is no deception or humbug about the facts in the case. Mr. Wm. Ramsey, of this city, has offered $600 for the animal, but failed to get her even at that price. The dam of this cow was formerly owned by Mr. Meakin, of this city, and raised by Capt. George H. Warring, of Bartow county.

—Oglethorpe Echo: There was an old negro woman staying at the poor house with a cataract, or waterfall, or volcano, or something of the sort over her eye, and our county commissioners decided to send the poor creature to Atlanta and have the affliction removed. They accordingly sent her to the depot to take the train. There she was met by a brother as helpless as herself, and was carried away. It appears that the brother conceived the idea that his sister was being carried away to Atlanta to be sold into slavery, and hence the kidnaping.

—Columbus Enquirer: Yesterday the Alston warehouse sold in one lot eleven hundred bales of cotton. This, at the present price of cotton, would realize nearly seventy thousand dollars. The purchaser, Mr. Joseph Holst, of Holst, Fullerton & Co., who is noted for his enterprise, is reported to have bought about five hundred bales in addition to the eleven hundred, thus making a pretty good day's business. The entire lot goes direct to Liverpool. Columbus, by the enterprise of her cotton shippers and the constant local demand of our factories, is the best interior market in the south. With a proper appreciation of our situation by the Central railroad, which owns all the lines of roads centering here, our city could show increased receipts now over the present large receipts.

—Albany News: The resignation of Dr. Pendleton as president of the Georgia agricultural college, calls for the election of a new officer to fill the vacancy. Friends of the college in this section and in different parts of the state have presented the name of Dr. J. P. Stevens, of Lee, as one eminently qualified for the position. Dr. S. is one of the most intelligent, scientific agriculturalists in the south. For ten years past he has made agricultural chemistry a special study, and is now familiar with all the modern views upon the subject. He is a fine student and a well informed physician of 25 or 30 years experience. As a practical agriculturist he has done more than any one within our knowledge, in the application of science to practical agriculture, and has been successful not only in eliminating truth, but producing crops. The experiments upon his plantation have increased its value during the past few years at least one hundred per cent. Dr. Stevens' connection with the Georgia agricultural society, to which body he is of so much value, would have a tendency to increase the popularity of the institution and build it up more substantially. He should receive the appointment.

—Macon Telegraph: We have received a private letter from our vigilant and trusty state treasurer, which explains, in the manner suggested in a recent review of his annual report, why the tax collected on wild lands and daguerrean artists was so insignificant. Mr. Renfroe says the $562 47 land tax referred to, was simply the amount received by the comptroller-general from non-resident owners. The bulk of the tax on wild lands, aggregating $20,000, was collected and paid over by the tax collectors of the several counties. In regard to the tax on daguerrean artists, the comptroller-general makes sixty-two returns, the revenue from which was included as a portion of the general taxes. The instance cited of $22 50 was a special return from McDuffie county, in cases where the parties had failed to respond and were spotted by the tax-collector and made to pay the required tax. Of this there was a special return made to the comptroller-general, and hence this isolated entry. Nothing could be more satisfactory than this statement, and the recent showing of Mr. Renfroe, also, to the general assembly, that neither he nor his assistant had received any compensation in the way of fees outside of their salaries, places this honest official in a very enviable position before the public. Georgia is fortunate in possessing so conscientious and capable a receiver and disburser of her revenues. We congratulate the treasurer on the fact that no one did or could oppose his claim to re-election.

Relief Without a Doctor.

Though we would by no means be understood as depreciating, but rather as recommending professional aid in diseases, there are instances of instances when it is neither necessary or easy to obtain. A family provided with comprehensive household specific like Hostetter's Stomach Bitters, is possessed of a medicinal resource adequate to most emergencies in which medical advice would be otherwise needful. That sterling tonic an corrective invariably remedies, and is authoritatively recommended for debility indigestion, liver disorder, an irregular habit of body, urinary and uterine troubles, indipient rheumatism and gout, and many other ailments of frequent occurrence. It eradicates and prevents intermittent and remittent fevers, relieves mental dependency, checks premature decay and invigorates the nervous and muscular tissues. Sleep, digestion and appetite are promoted by its use. It is extremely useful in overcoming the effects of exhaustion and exposure.

jan22 dawlw

Special Notices.

Keep's Custom Shirts made to measure, The very best, 6 for $6, delivered free everywhere. Keep's Patent Partly-Made Dress Shirts, The very best, 6 for $7, delivered free everywhere An elegant set of Gold plate collar and sleeve Buttons given with each half dozen Keep's shirts. Samples and full directions mailed free to any address.

Merchants supplied at a small commission on cost. Trade circulars mailed free on application

Keep Manufacturing Co., 165 Mercer St., New York

jan21—deod&wly

NERVOUS DEBILITY.

Vital weakness or depression: a weak exhausted feeling, no energy or courage: the result of **mental over-work, indiscretion or excesses,** or some drain upon the system, is always cured by **HUMPHREYS' HOMŒOPATHIC SPECIFIC No. 28.** It tones up and invigorates the system, dispels the gloom and despondency, imparts strength and energy—stops the drain and rejuvenates the entire man been used twenty years with perfect success by thousands. Sold by dealers. Price, $1 00 per single vial, or $5 00 per package of five vials and $9 00 vial of powder—sent by mail on receipt of price. Address **HUMPHREYS' HOMŒOPATHIC MEDICINE COMPANY.**

562 BROADWAY, NEW YORK.

sep28—deod&wly

Thrash's Consumptive Cure.

Messrs. J. T. Thrash and Company, Griffin, Ga.

GENTS—My sister, Mrs. Della Williams, has been confined to her bed from Lung disease for more than a year. After taking one bottle of your Consumptive Cure and Lung Balsam she has been able to ride horseback ten miles to Rutledge and take care to Newnan, Ga., and now considers herself entirely cured after using the second bottle. Yours truly,

A. J. WILLIAMS.

Sold by all druggists and at wholesale by Hunt Rankin & Lamar.

Amusements.

GRAND

Masquerade Ball,

OF THE

ATLANTA TURN-VEREIN

AT TURNER HALL,

Tuesday, Jan. 30th, 1877.

ADMISSION $1 50, for gentleman with lady No tickets will be sold at the door. No ladies admitted on the floor without a full Costume and Mask.

Gallery Tickets 50 cents.

Tickets sold at Beermann & Kuhrt, Whitehall street, and C. J. Weinmeister, at the Reading Room.

TICKETS NOT TRANSFERABLE

jan18—dly30 THE COMMITTEE

Ready-Made Clothing.

DETERMINED

TO

CLOSE OUT

OUR

STOCK

OF WINTER

CLOTHING.

BEFORE

February 1st,

WE NOW

OFFER

SOME

Extraordinary

Inducements

IN PRICES.

There are many who have not yet bought their Winter supply of Clothing, and who have not the means to buy fine Clothing and yet do not wish to wear cheap, coarse goods; to such we offer a CAPITAL OPPORTUNITY.

The goods we have yet on hand are mostly FINE in quality, but we will sell at prices ordinarily charged for common goods.

HAAS BROS.

O. K. CLOTHING STORE,

32 Whitehall St.

dec31 dtf

By JOYNER & ELLIS.

Fine Law Library at Auction.

ON MONDAY NIGHT, 29th inst., 7 o'clock, we will sell at our auction room, for cash and on account of owner retiring from practice:

450 VOLUMES STANDARD LAW WORKS,

Also, 1 set, 16 vols APPLETON'S AMERICAN CYCLOPEDIA, bound in sheep jan21-d4t

Headquarters

—FOR—

Tennessee Produce

McGAUGHEY BROS.

We now have in Store for Sale CHEAP

75 cars Corn,
10 " Wheat,
10 " Oats,
6 " Brannd,
8 " Hay,
5 " Shucks.

McGAUGHEY BROS.,

85 South Broad street,

Atlanta, Ga.

jan23—d3t

NOTICE.

THERE will be a meeting of the Board of Trustees of the University of Georgia, in Athens, on the first day of February next, to elect a Professor of Agriculture and Horticulture, in place of Dr. Pendleton, newly set.

WM. L. MITCHELL,
Secretary of the Board of Trustees.

jan23—d4t

Rome Hotel.

J. A. STANSBURY, Proprietor.

Broad street, Rome, Ga.

IN the principal business square of the city and in easy stage of railroad. No Omnibus needed. New and clean from bottom to top.

jan21-d3t

ALLCOCK'S

Porous Plasters

Ask for ALLCOCK'S, and obtain them, & so avoid miserable IMITATIONS.

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Office, 294 Canal St., New York
nov28—d&wlm, top, col. nr1, r m

Humphrey's Specifics.

THE MILD POWER

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HUMPHREYS'

HOMEOPATHIC SPECIFICS

Been in general use for twenty years. Everywhere proved the most SAFE, SIMPLE, ECONOMICAL and EFFICIENT medicines known. They are just what the people want, saving time and money, averting sickness and suffering. Each single specific the well tried prescription of an eminent physician.

Nos.		Cents.
1.	Fevers, Congestion, Inflammations,	50
2.	Worms, Worm Fever, Worm Colic,	50
3.	Crying-Colic, or Teething of Infants,	50
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9.	Headaches, Sick Headache, Vertigo,	50
10.	Dyspepsia, Biliousness,	50
11.	Suppressed, or Painful Periods,	50
12.	Whites, too Profuse Periods,	50
13.	Croup, Cough, Difficult Breathing,	50
14.	Salt Rheum, Erysipelas, Eruptions,	50
15.	Rheumatism, Rheumatic Pains,	50
16.	Fever and Ague, Chill Fever, Ague,	50
17.	Piles, Blind or Bleeding,	50
18.	Ophthalmy, and Sore or Weak Eyes,	50
19.	Catarrh, Acute or Chronic Influenza,	50
20.	Whooping-Cough, Violent Coughs,	50
21.	Asthma, Oppressed Breathing,	50
22.	Ear Discharges, Impaired Hearing,	50
23.	Scrofula, Enlarged Glands, Swellings,	50
24.	General Debility, Physical Weakness,	50
25.	Dropsy and Scanty Secretions,	50
26.	Sea-Sickness, Sickness from Riding,	50
27.	Kidney-Disease, Gravel,	50
28.	Nervous Debility, Seminal Weakness, or Involuntary Discharges,	1 00
29.	Sore Mouth, Canker,	50
30.	Urinary Weakness, Wetting the Bed,	50
31.	Painful Periods, with Spasms,	50
32.	Sufferings at Change of Life,	1 00
33.	Epilepsy, Spasms, St. Vitus' Dance,	1 00
34.	Diphtheria, Ulcerated Sore Throat,	50
35.	Chronic Congestions and Eruptions,	50

FAMILY CASES.

Case (Morocco) with above 35 large vials and Manual of Directions, $10 00

Case (Morocco) of 20 large vials and Book, 5 00

☞ These Specifics are sent by the case or single vial to any part of the country, free of charge, on receipt of price. Address

Humphreys' Specific Homeopathic Medicine Co.,

Office and Depot, No. 562 BROADWAY, NEW YORK.

For Sale by all Druggists.

COLLIER & VENABLE,
THEO. SCHUMANN,
Agents for Atlanta.

nov28—deod&wly-n-tmr—

White Lead

W. H. GRACE, Prest. F. W. ROCKWELL, Sec

SOUTHERN WHITE LEAD CO.

SOUTHERN COMPANY WARRANTED STRICTLY PURE WHITE LEAD IN BLEACHED OIL ST. LOUIS.

Every package of this Company's brand of Strictly Pure White Lead bears the following guarantee:

"The White Lead contained in this package is guaranteed by the Manufacturers, the SOUTHERN WHITE LEAD CO., St. Louis, Mo., to contain no adulteration whatever. It is composed entirely of perfectly Pure Carbonate of Lead and Linseed Oil, and is sold subject to Chemical Analysis and the Blow Pipe Test"

The name of this Company is placed ONLY upon Strictly Pure Lead. It is not placed upon a second or inferior quality. So parties purchasing White Lead branded "SOUTHERN COMPANY," are *absolutely sure* of obtaining a PERFECTLY PURE ARTICLE.

For Sale by Dealers in Paints and Oils throughout the South and West.

For sale by DUCK & CO., 25 Alabama street, and GEO. J. HOWARD, 47 Peachtree street.

oct31—dtmao

GUANO.

GEO. W. SCOTT & CO.

No. 11 Broad street.....ATLANTA,

AGENTS FOR

STONO PHOSPHATE COMPANY,

OF CHARLESTON, S. C.,

Offer for Cash, Secured Paper or Cotton,

STONO

AMMONIATED SOLUBLE PHOSPHATE.

ALSO,

Stono Acid Phosphate for Composting.

THESE Fertilizers are carefully prepared under the special supervision of our Chemist, Dr. St. Julien Ravenel, at the works near Charleston, who spares no effort to keep up that HIGH STANDARD, which has won for them such a WIDE REPUTATION.

SPECIMENS of the FOSSIL BONES and NODULES OF PHOSPHATE, which form the basis of these Fertilizers can be seen at our office, No. 11 BROAD STREET, ATLANTA.

jan16—dtnee&satzm&w2m

T. S. Reynolds,

JOB

PRINTER.

ATLANTA, GA.

STEAM-ENGINES!

More effective and more complete, and more readily adapted to the various mechanical and agricultural uses than any other in the market. Practical improvements accumulated from twenty years manufacturing experience with reputation maintained and success established by thousands in use.

Send for Circulars, descriptive, and containing testimonials concerning our **Portable, Stationary, and Agricultural Steam Engines.**

WOOD, TABER & MORSE

EATON, MADISON CO., N. Y.

nov19—d3m&w2m

For Sale,

SIX MILES from Atlanta on Railroad boundary the most beautiful, and productive Farm in the country containing 160 acres, 50 acres best bottom. This farm is level, clear of rock, and has on it the best young orchard, and vineyard in the county; fencing, and buildings new, and good, 50 acres cleared. For particulars address C. W. COKER, at Hapeville, on the place.

jan18—deod2w&w2t

Notice in Bankruptcy.

IN the District Court of the United States for the Northern District of Georgia—In the matter of Abraham Marks, Bankrupt—In Bankruptcy.

This is to give notice once a week for three weeks, that I have been appointed Assignee of the estate of Abraham Marks, of Atlanta, Georgia who has been adjudged a bankrupt upon his own petition, by the District Court of said District.

A. B CULBERSON,
Atlanta, Ga.

jan7—11aw3w
Republican copy.

Notice in Bankruptcy

IN the United States District Court for the Northern District of Georgia—In the matter of Josiah S. Byers.—In Bankruptcy.

This is to give notice, once a week for three weeks, that I have been appointed Assignee of the estate of Josiah S. Byers, of Atlanta in said district who has been adjudged a bankrupt upon his own petition by the District Court of said district.

A. B CULBERSON,
Atlanta, Ga.

jan7 d1aw3w
Republican copy.

Notice in Bankruptcy

IN the United States District Court for the Northern District of Georgia:

This is to give notice once a week for three weeks that I have been appointed Assignee of Christopher C. Pyron and Stephen J. Pyron, and of said persons as copartners under the firm name of C. C. & S. J. Pyron, of Greene county, Ga., in said district, who have been adjudged bankrupts, upon their own petition by the district court of said district. This December 24th, 1876.

J. H. M. PENNINGTON, Assignee

Notice in Bankruptcy.

IN the United States District Court for the Northern District of Georgia—In the matter of George C. Davis—In Bankruptcy.

This is to give notice once a week for three weeks that I have been appointed Assignee of the estate of George C. Davis, of Greene county, Georgia, (P. O. Greensboro) in said district, who has been adjudged a bankrupt upon his own petition by the District Court of said district. January 3d, 1877.

J. M. STOREY,
Greensboro, Ga.

jan14—d1aw3w

Marshal's Sales for February, 1877.

WILL be sold before the city hall door, in the city of Atlanta, Fulton county, Georgia, on the first Tuesday in February, 1877, between the legal hours of sale, the following described property, levied on by the city marshal to satisfy city fi fas issued by order of the mayor and general council of the city of Atlanta, for city taxes for the year 1876:

Levied on the fifth city lot in ward 1, land lot 85, containing 50x180 feet, more or less on Walker street, adjoining the property of Bettis and an alley. Levied on as the property of John S. Bettis to satisfy a tax fi fa for city tax for the year 1876; also,

City lot in ward 3, land lot 78, containing ¾ acre, more or less, on Railroad and Marietta streets, adjoining Carlton and Fontaine; mayor and council vs Dr. W. C. Asher; also,

City lot in ward 2, land lot 76, containing ¾ acre, more or less, on Jones street, adjoining Murphy and O'Neil; mayor and council vs Louis Cahn; also,

City lot in ward 4, land lot 84, containing ¾ acres, more or less, on Butler street, adjoining Holbrook and Sewell; mayor and council vs Mrs Annie Mann; also,

City lot in ward 2, land lot 76, containing 2 225 feet, more or less, on Washington street, adjoining Marsh and Morrison; mayor and council vs A McLendon; also,

City lot in ward 3, land lot 83, containing ¾ acre, more or less, on Connally street, adjoining Plant and Thomason; mayor and council vs Andrew Miller, col'd; also,

City lot in ward 3, land lot 83, containing ¾ acre, more or less, on Simpson and Hayne streets, adjoining Turner and Cason; mayor and council vs Wm McClendon, scont; also,

City lot in ward 5, land lot 78, containing 25x105 feet, more or less, on Broad street, adjoining Boyd and Phillips; mayor and council vs Wm R Phillips, sr; also,

City lot in ward 3, land lot 20, containing ¾ acre, more or less, on Factory and Hilliard street adjoining Burns and Thomas; mayor and council vs Mrs A Rich; also,

City lot in ward 1, land lot 77, containing 80 70 feet, more or less, on Whitehall street, adjoining Lyndon and Ryan; mayor and council vs John H Rogers; also,

City lot in ward 3, land lot 84, containing ¾ acre, more or less on Hayes and Hunter streets, adjoining Sears; mayor and council vs Mrs N C Spencer; also,

City lot in ward 4, land lot 46, containing 60x270 feet, more or less, on Jackson and Blackburn streets, adjoining Jennings; mayor and council vs F M Van Belt; also,

City lot in ward 1, land lot 77, containing 25x100 feet more or less on Mitchell street, adjoining Lyndon and Maher; mayor and council vs Robert C Young.

WM. H. HOLCOMBE,
City Marshal

jan7—d1aw4w

$20, $50, $100, $200, $500

ALEX. FROTHINGHAM & CO., Bankers and Brokers, **No. 12 Wall St., New York** make for customers desirable investments of large or small amounts in stocks of a legitimate character, which frequently pay from five to twenty times the amount invested every thirty days. Reliable Stock Privileges negotiated at favorable rates. Stocks bought and carried as long as desired on deposit of three to five per cent.

Circulars and Weekly Reports sent free on application.

jan7—d1aw1w

Notice of Dissolution.

THE firm of Pendleton and Palmer is dissolved by mutual consent. H. C. Pondleton assumes all the liabilities and will collect all debts due the late firm.

H. C. PENDLETON,
J. C. PALMER.

HAVING bought out the entire interest of Mr J. C. Palmer, I will continue the business at the old stand, No. 84 Whitehall street. Thanking the public for their liberal patronage in the past I respectfully ask for their support and encouragement in the future.

jan13—d1aw3w H. C. PENDLETON.

15

CENTS COTTON.—The Etiwan Company of Charleston have authorized us to sell their well-known Fertilizers with the option of paying for the same in Middling Cotton to be delivered on or before November 1, 1877. Call on us before making your purchases.

HUNT, RANKIN & LAMAR,
No. 11 North Pryor St.

FERTILIZING CHEMICALS.

We have a good stock of reliable

SULPHATE AMMONIA,
NITRATE SODA.
MURIATE POTASH,
NOVA SCOTIA LAND PLASTER,

and Fertilizing Saltpetre. For sale for cash.

HUNT, RANKIN & LAMAR,
WHOLESALE DRUGGISTS,
No. 11 North Pryor st.

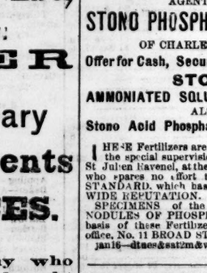
jan21

MEDICAL DISPENSARY.

Dr. Geo. W. Marvin again tenders his professional services to his old friends and the public. Dispensary and consultation rooms, No. 1 Whitehall street, in Centennial building, Atlanta, Ga., where patients can get reliable treatment for all diseases. Particular attention paid to all diseases of the Throat, Lungs and Catarrh. The above diseases treated by inhalation.

The Doctor treats all diseases of long standing, such as Eruptions, Gravel, Paralysis, Rheumatism, Goitry, Dropsy, Biliousness, Diseases of the Kidneys, Erysipelas, Nervous Depression, Dyspepsia, Liver Complaint, all Diseases peculiar to Women, all Private Diseases, Heart Disease, Swollen Joints, Coughs, Gout, White Swelling, St. Vitus' Dance, etc.

Electricity applied in cases where it is required. The Doctor is permanently located, and persons who have been under the treatment of other physicians and have not been cured, are invited to call, as he treats all curable diseases, and cures guaranteed, or no pay. Call and see the Doctor without delay. His charges are moderate, and consultation free. Office hour from 9 A.M. to 4 P.M. jan12 d&wtf,2or4p



A GREAT DISCOVERY.

By the use of which every family may give their linen that brilliant polish peculiar to fine ironing work. Saving time and labor in ironing, more than its entire cost. Warranted. Ask for Dobbins'.

DOBBINS, BRO. & CO.,
13 N. Fourth st., Philadelphia.
P. A. TODD & CO., Sole Agents, Atlanta

dec7 d&wtf

Postponed Executor's Sale.

BY virtue of an order of the Court of Ordinary of Greene county, Georgia, will be sold before the Court House door in the city of Atlanta, Georgia, on the first Tuesday in February next, within the legal hours of sale, one unimproved lot in the city of Atlanta, adjoining A. E. Seago's brick store, fronting on Hitchell street twenty five feet and running back 100 feet to an alley. Sold for the benefit of the heirs of Green Mason, deceased, of Greene county, Georgia. Terms of sale cash. December 19th, 1876.

J. N. ARMOR,
J. W. MOORE,
Executors of Green Mason, deceased.

jan2—11aw4w

Fulton Sheriff Sales for February, 1877.

WILL be sold before the court house door in the city of Atlanta, Fulton county, Georgia, on the first Tuesday in February, 1877, within the legal hours of sale, the following property, to-wit:

City lot and tracts of land lying and being in the county of Fulton and State of Georgia, to-wit: A city lot known as block No. 15 of original land lot No. 66, surrounded by Irwin, Jackson, Old Wheat and Rolling Mill streets, containing ten acres, more or less, except seventy feet on the corner of Irwin and Rolling Mill streets, being the northeast corner, on which the St. John's Methodist church is situated; also, a city lot known as the east half of block No 14, of original land lot No. 66, surrounded by Irwin and Jackson streets, and Old Wheat street and Dexter's lot, except 75 feet by 200 feet before sold to W. C. Lawshe, now occupied by Mrs. Bird; and a small strip on the southwest corner heretofore deeded to L. Dexter, his fence being the line. The above two city lots are in the city of Atlanta, and contain fifteen acres, more or less, save the reservations above set forth. Also, a city lot on Collins street described as follows: Commencing at Mrs Mary D Robinson's lot, one hundred feet from the northeast corner of Currier and Collins streets, and running north on Collins street ninety-five feet, more or less, to J D Fagan's line or lot; thence east one hundred feet, more or less, to the rear of Fagan's lot; thence north one hundred feet to J T Grant's lot; thence east five hundred (500) feet, more or less, to Calhoun street; thence south, along Calhoun street, two hundred and seventy-eight feet, more or less, to Currier street; thence west along Currier street two hundred and twenty-five feet, more or less, to Sallie Waller's lot; thence north one hundred and twenty-five feet, more or less, and thence west fifty feet, more or less, along side of Sallie Waller's lot; thence south along Sallie Waller's lot to Currier street; thence west two hundred feet to Mrs Robinson's lot; thence north along Mrs Robinson's lot one hundred feet; thence west along Mrs Robinson's lot one hundred and twenty-five feet to Collins street, known as the variety vineyard and orchard place of John R Wallace, being part of land lot No. 66 in the 14th district of originally Henry, now Fulton county, and containing four acres, more or less, said lot being in the city of Atlanta, Georgia. Also eighteen and a half acres off of the southern part of the thirty acres hereinafter, to-wit: on the tenth day of March 1863, deeded by Bomar Langford to John R Wallace, being part of original land lot twenty, in the 14th district of originally Henry, now Fulton county, the part of said land hereby conveyed being all of the thirty acres conveyed by said Langford except twelve and a half acres mortgaged to one A E Ware. Also, ten acres of original land lot No 106, on the east side of Peachtree road, containing thirty feet from the southwest corner of the Orphan Home lot, on the Peachtree road running back to the lands of the Fulton Gas-Light and Building association; and thence west along the lands of Turner Goldsmith to the Peachtree road; and thence along Peachtree road to the commencing point, to-wited opposite Jack Smith's residence lot. Also, sixty-eight and three-tenths acres of original land lot No. 16 in the 14th district of originally Henry, now Fulton county, known as the Wallace scuppernong Vineyard place, and lands surrounding, and more fully described in a deed made by B H Thrasher and Joseph Ormond to said Wallace on the 20th of February 1873, and recorded April 15, 1873, in book T, folio 166, in clerk's office Fulton Superior court, described in a certain deed of mortgage, executed by Jno R Wallace to the Georgia Banking & Trust Co., bearing date the 14th day of December 1875. All levied on as the property of John R Wallace, by virtue of and to satisfy a mortgage fi fa issued from Fulton superior court, in favor of the Georgia Banking & Trust Co. vs John R Wallace. Property pointed out in fi fa.

Also, at the same time and place, all the following described land, situate, lying and being in the city of Atlanta, county of Fulton, and being according to map made by Augier, April 5, 1870, lots Nos 1, 2 and 3, two of them fronting 29 feet each and one 31 feet; also lot No. 4, fronting a front of 31 feet on Peters street and extending back 100 feet; also No 5, fronting 31 feet on Peters street and extending back 100 feet; also No 6, fronting 25 feet on Peters street and extending back 100 feet. Nos 4 and 6 have small houses on them. Nos 7 and 8 having each a front of 31 feet and 9 inches and on Hill's Avenue extending north 95 feet. Also, lots Nos 9, 10, 11, 12, 13, 14, 15, 17, 18, (that is, 9 to 18, inclusive,) also fronting 50 feet on Hill's avenue and running back 100 feet; also, four lots fronting on Race Track street, 44 feet and 6 inches each and extending back 90 feet, being lots Nos 21, 22, 23, and lots Nos 24, 25, 26, 27, 28, 30, 31, 32, 33 and 34, fronting 50 feet each on Hill's avenue and extending back 100 feet, on Alexander's line. Also, lot No 35, fronting 41 feet on Hill's avenue and extends 89 feet south, all being part of land lot No 85, of the 14th district of originally Henry now Fulton county, Georgia. Levied on as the property of H Hill, by virtue of and to satisfy a fi fa issued from the justice's court of the 1026th district, G M, in favor of John Neal vs H B Hill, maker, and John R Wallace, endorser. Levies made by J R Thompson, L C, and handed to me.

Also, at the same time and place, a part of the land of defendant, Robert Widdows, the same being 81½ acres of land in the 14th district of originally Henry now Fulton county, Georgia, being the south half of original land lot No. 338, containing 163 acres, and the north half of original land lot No. 337, containing 106¾ acres, together with all the improvements thereon. Levied on as the property of Robert Widdows, by virtue of and to satisfy a fi fa issued from Fulton Superior Court, in favor of C B and D R Lyle vs Robert Widdows. Property pointed out by plaintiff's attorney.

Also, at the same time and place, the following described property, to-wit: All that tract or parcel of land lying and being in the city of Atlanta, Fulton county, Georgia, known in the plan of the Schofield survey as lot No. 4 in the subdivision of the Quinn lot, and fronting 50 feet on Bell street and extending back 138 feet, more or less, being part of land lot No. 52 of originally Henry now Fulton county. Levied on as the property of defendant by virtue of and to satisfy a fi fa issued from the Justice's court of the 1026th district G M, in favor of M C Carroll vs R G Young. Levy made by J R Thompson, L C, and returned, etc., December 2, 1876.

Also, at the same time and place, a lot on the improvements thereon, on Davis street, in the first ward of the city of Atlanta, adjoining the property of Grambling and Myers, part of land lot No 85, in the 4th district of originally Henry now Fulton county, Georgia, the same being one-half acre, more or less, and now occupied by defendant. Levied on as the property of R Gardner, by virtue of and to satisfy a fi fa issued from Fulton Superior Court in favor of Clark Howell, jr., trustee, vs R E Gardner.

Also, at the same time and place, all that tract or parcel of land lying and being in the 14th district of originally Henry, now Fulton county, and forming part of land lot No. 108, in said district, and bounded as follows, to-wit: Commencing on the line of John J. Thrasher's iron palings 50 feet south from his iron gate, and running southward to the southwest corner of lot No 3, in the subdivision of said land lot No 108, thence east along said subdivision line the distance of 140 yards, thence north a distance equal to the length of the west side of this tract, thence west to the initial point on street 40 feet wide between this parcel and Jno. J Thrasher's tract being reserved for the use of the public, the same being the parcel of land on which is the present residence of A. K. Seago, and containing four and one-quarter acres, more or less. Also, the east half of lot of land No 215, in the 17th district of originally Henry now Fulton county, containing 101¼ acres with all the improvements thereon, and adjoining lands of the Donahoes. All levied on as the property of A. K. Seago by virtue of and to satisfy a fi fa. issued from Fulton Superior Court in favor of W. V. Carrington vs. A. K. Seago. Property pointed out by plaintiff's attorney.

Also, at the same time and place, a lot and house No. 140, on Ivey street, in the Fourth Ward of Atlanta, Georgia adjoining the property of Courier and Howell, part of land lot No. 85, in the 14th district of Fulton county, as containing one-eighth of an acre, more or less. Levied on as the property of W. T Newman, by virtue of and to satisfy his State and County tax for the year 1875.

Also, at the same time and place, all that tract or parcel of land lying and being on the Peachtree road, north of the city of Atlanta, bounded and described as follows: Commencing on the west side of Peachtree road at Jesse Wood's lands, and running thence north and no thwest along said road nineteen hundred feet to Ira R Foster's line, thence in a southwest course along Foster's line fifteen hundred and thirty-two feet to Jesse Wood's line, and thence east along Wood's line two thousand and eighty-four feet to the beginning point on Peachtree road, being a portion of land lot 109, of the 17th district of Fulton county containing 30¼ acres, more or less. Levied on as the property of L M Dimick, by virtue of and to satisfy a mortgage fi fa. issued from Fulton Superior court, in favor of John Neal vs L M Dimick. Property pointed out in said mortgage fi fa.

Also, at the same time and place, all that tract or parcel of land lying and being in the city of Atlanta, and described in the plan of said city as part of land lots No. 77 and 78 as per deed made by C. W. Hunnicutt, trustee of Mrs. Susan C. Taylor to D. Demorest on the 15th December, 1861, and according to Vincents map of said city, is lot No. 8, of land lot No 78, in the 14th district of original Henry, now Fulton county, Georgia, containing one-half of an acre of land, more or less, bounded north formerly by W. G. Forsyth's lot, fronting south on Line street, east by an alley, west by a lot formerly owned by Wm. Herring, afterwards J. R. Powell. Levied on as the property of J. W. Sparks & Son by virtue of and to satisfy a fi fa. issued from the city court of Atlanta in favor of John Neal vs. J. W. Sparks & Son. Property pointed out by plaintiffs attorney.

Also, at the same time and place, the lumber in a framed building forty feet by two hundred feet, situated on the grounds of Oglethorpe park, and known as the skating rink. Levied on as the property of H. I. Kimball by virtue of and to satisfy a fi fa issued from Fulton Superior Court in favor of Bishop and Coe vs. H. I. Kimball.

Also at the same time and place fifty acres of the northeast corner of land lot No. 28 of the 14th district of originally Henry now Fulton county, Georgia. Levied on as the property of Bridget Lynch by virtue of and to satisfy half of the state and county tax fi fa issued by W S Walker, T C, vs James K and Bridget Lynch. Also, at the same time and place, the property of John W. Sparks, to-wit: All that tract or parcel of land in the city of Atlanta, being part of land lot No. 78 in the 14th district of originally Henry, now Fulton county, fronting 31½ feet on the east side of Prior street, running back 135 feet and 9 inches to an alley, and being on the corner of Prior and Line streets, embracing half of the wall on the south side of building belonging to T. G. W. Crussell. Levied on as the property of John W Sparks by virtue of and to satisfy four fi fas, two issued from the city court of Atlanta one in favor of James English vs. John W. Sparks, and the other in favor of Capel Mc'endon for use of James W. English vs. John W. Sparks; the other two are mortgage fi fas issued from Fulton superior court, one in favor of James W. English vs. John W. Sparks, the other in favor of John Neal vs. John W. Sparks. Property pointed out in the two first named fi fas, by plaintiff's attorneys, and in the two last named fi fas described in the said mortgage fi fas.

Also, at the same time and place, a lot and improvements on northeastern corner of Marietta and Forbes streets, in fifth ward of city of Atlanta, Fulton county, Georgia, claimed in the lien foreclosed by the plaintiffs against defendants. Levied on as the property of John G. Westmoreland, trustee, etc., by virtue of and to satisfy a fi fa issued from Fulton Superior court in favor of Saunders & Bellingrath vs John G. Westmoreland, trustee etc. Property pointed out in fi fa.

Also, at the same time and place, all that tract or parcel of land lying and being in the second ward of the city of Atlanta on the corner of McDaniel and Wells street, part of land lot No 85 in the 14th district of originally Henry now Fulton county, Georgia, adjoining the property of Mitchell and Gaulding, upon which there are two small houses and containing one-half acre, more or less. Levied on as the property of Wm Blackstock, by virtue of and to satisfy a fi fa issued from the justice court of the 1026th district G. M., in favor of J. M. Latham vs. Wm. Blackstock. Levy made by J. R. Thompson, L. C., and handed to me.

A. M. PERKERSON, Sheriff.

DISSOLUTION.

THE copartnership between M. L. Angier and W. M. Williams, in the Comm

The Atlanta Daily Constitution

Preferred Locals.

SUGAR CREEK PAPER MILLS.
WM. McNAUGHT & CO.
See Daily and Weekly CONSTITUTION for specimen of our "news." mar22-dtf

Supreme Court Decisions.

The Decisions for the July Term, 1876, are now ready. To regular subscribers the pamphlet will be furnished at $1 00 per copy; and $2 00 to those who are not. jan14-dtf

The People Want Proof.

There is no medicine prescribed by physicians, or sold by Druggists, that carries such evidence of its success and superior virtue as Bosoms's GERMAN SYRUP for severe Coughs Colds settled on the Breast, Consumption, or any disease of the Throat and Lungs. A proof of that fact is that any person afflicted, can get a Sample Bottle for 10 cents and try its superior effect before buying the regular size at 75 cents. It has lately been introduced into this country from Germany, and its wonderful cures are astonishing everyone that uses it. Three doses will relieve any case. Try it. Sold by all Druggists.

HENT, RANKIN & LAMAR,
oct7 -dcod&weow1y Wholesale Agents.

White Pine Sashes, Doors, Blinds, Mantels, Mouldings, etc., at the lowest prices and of the best quality. All orders will have our prompt attention.

JENNINGS & ASHLEY,
31 and 33 Broad street, near Bridge.
JENNINGS & Co.,
sep26 -dsmo-tf 38 Decatur street.

New Advertisements.

Members of the legislature—Geo Sharp, Jr.
Oatmeal, etc—Jno W Stokes.
Notice of dissolution—McKoy, Roberts & Co.
Blacksmith tools for sale—Wm B Smith.
Furnished rooms wanted—Quida
Cracked wheat, etc—Jno W Stokes.
Jewelry manufactory—Geo Sharp, Jr.
Estray notice—L B Griggs.
Store and rooms for rent—F M Coker.
Remember—Jno W Stokes.
Small dwelling wanted—H.
At wholesale cost—Geo Sharp, Jr.
Catarrh snuff—Dr J H McLean.
Worcester sauce, etc—Jno W Stokes.
Dr Bull's cough syrup.
Shirts—John Ryan.
Fresh and new—Geo Sharp, Jr.
Choice fresh butter—Jno W Stokes.
To the stockholders of the Atlanta cotton factory and others—G W Adair.

Coal Creek Coal

With daily receipts I am prepared to fill all orders for the above Coal, at lowest market price, either by the car load or less quantity. JNO. F. EDWARDS, Agent,
Marietta street and 95 Broad street.
jan23—d1w

GEO. SHARP, JR.'S

Jewelry Manufactory.

Gold Badges of all kinds, Seal Rings and Lockets, Diamonds remounted.

All kinds of Jewelry Repairing and Embossing, Enameling and *Superior Engraving* executed in my work shop at the *shortest notice.*

Am prepared to do all kinds of superior work in my line that cannot be executed elsewhere in the State.

My prices are lower than the lowest, and my work in quality, superiority and finish cannot be excelled. jan24—dtf

The nicest and wholesomest dish out, Oatmeal porridge and Peters' fresh butter. At the manufactory. JNO. W. STOKES',
jan24—d1w

THE COURTS.

The Supreme Court.

ATLANTA, GA., Jan. 23, 1877.

After delivering decisions in cases heretofore argued, the usual order of business was resumed.

NORTHERN CIRCUIT.

No. 1. Argument concluded.

No 2. Usury, executor, vs. Hobbs, complainant, from Glasscock. Argued.

H D. D. Twiggs, for plaintiff in error.

No. 3. DuBose, contra.

No. 3 Flournoy vs. Hood, executor. Injunction, from Clark.

Pope Barrow; C D. Hill; Jackson & Thomas, for plaintiff in error.

Alex. S. Erwin; S. P. Thurmond; Emory Speer; L. & H. Cobb, contra.

Pending the argument of Mr. Thomas, the court adjourned until 10 o'clock A. M. to-morrow.

United States Circuit Court.

JUDGE W. B. WOODS PRESIDING.

This court met Monday morning and was engaged all day upon the confirmation of the sale of the Air Line road and the distribution of the funds arising therefrom. The attorneys for the road are Trippe & McKay and Amos T. Akerman. The claimants of the funds are represented by P. L. Mynatt Collier & Collier, T. P. Westmoreland, John Milledge, Hillyer & Bro., Abbott & Kendrick, and others. The case involves so much evidence and the claims are so many and various that it will probably be a day or two yet before the final decree is had. There is more legal talent engaged in this case than has appeared recently upon any issue in the courts in this state.

TUESDAY.

The Air Line railroad case is still in progress and will go on for a day or two yet. Large amounts are involved and the claims under consideration are multitudinous.

The Rossini Club.

This elegant amateur club is preparing for another grand concert to be given to the public a week from next Thursday night. From what has been seen in the past of this club, we may anticipate a real treat. We ask for them a full audience and can promise that all who attend will be amply repaid.

Cracked Wheat, Farina, Split and Green Peas. JNO. W. STOKES.
jan24—d1w

Members of the Legislature!

After you have gotten through the Senatorial Election, take a quiet stroll and pass an hour or two in my Jewelry Store and buy any present you may need in my line at actual wholesale cost. GEO. SHARP, JR.
jan24—dtf

Remember, Jno. W. Stokes is agent for sale of Butter of Mr. Richard Peters. Call and get a supply at 98 Whitehall street.
jan24—d1w

Directory Notice.

During the month of December we undertook the publication of the Atlanta City Directory for 1877. We called on business men in a business-like manner for subscriptions and advertisements, and met with the greatest encouragement, as our subscription list of nearly three hundred names will testify. We had no need to go around the city seeking signatures to an *advertisement* to back a *purely business enterprise* with spurious pleas for patronage.

We wish to say to business men and those interested that we have made considerable progress, and will give, at the proper time, a correct, reliable Directory.

We would state that our residence in Atlanta does not date from January 1st, 1877, but that we have been engaged on Directories in this city, and the St te of Georgia, during most part of the past year, which, has made us thoroughly familiar with all the firms and business men in the city, *without which a correct Directory cannot be published. Besides all work will be done by Atlanta men.*

We are too busy with our Directory to be drawn into a controversy.

Other parties can publish as many directories as they wish, but we will publish the Atlanta Directory for 1877, and give business men the only *reliable* directory, for which only they should subscribe.

If there is any demand for respectable names, we will give a list of nearly three hundred, representing the most responsible business and professional men of the city.

Read our advertisement and do not be induced to subscribed for any other directory.

G. H ROBINS & Co.,
Publishers Georgia Directories
Atlanta, Jan. 18, 1876. jan19—dcod3t

At Wholesale Cost,

Watches, Diamonds, Jewelry, Sterling Silver and Plated Ware, at cost at
GEO. SHARP, JR.,
jan24—dtf Jewelry Store.

Worcester Sauce, Tomato Catsup, Olive Oil, French Mustard, all on draught, at
jan24—d1w JNO. W. STOKES'.

Discharged From Jail.

On Monday P. W. Collum, P. P. Oliver, John L. Simms, J. J. Jones and Robert Thompson were dismissed from Fulton county jail. They had all served out four months imprisonment, to which they were sentenced in the United States district court for violations of the revenue laws, in addition to the payment of $100 fine upon each. Upon discharge the prisoners were required to take the prescribed "prisoners oath." They are now as free as air, and will doubtless "go and sin no more" against the revenue laws of the government.

Fresh and New and Just as Represented.

No old style itinerant stock sold in my house. New styles, fresh goods, purchased from first-class Rochester and Leading Manufacturers. All at wholesale for thirty days, at
GEO. SHARP, JR.,
jan24—dtf Jewelry Store.

Choice Fresh Butter,

Put up by Mr. Richard Peters, at his celebrated grass farm near Calhoun, for sale at 98 Whitehall street. JNO. W. STOKES.

TURKISH, RUSSIAN, VAPOR AND ELECTRIC BATHS.

At the National Surgical Institute, for 50 cents each; 10 Baths for $5 00.

Ladies in the morning and gentlemen in the evening. jan14—d1msun&wed,d&tdelp

THE BATTLE OPENED!

THE HOUSES TRY A LITTLE FALL IN SEPARATE SESSION.

The Result of the Ballots—A Close Race—Smith Falls Behind—Will a "Tied Out Horse" Be Trotted Out To-day—Gossip of the Contest, &c.

The senatorial race climbed sharply up to its climax yesterday in the

BALLOTING OF THE TWO HOUSES

in separate session.

By resolution the election was brought on in in each house at 12 o'clock. During the morning the Norwood men were claiming that their favorite would carry both of the houses on the first ballot. The law requires that unless a candidate obtains a majority of both houses there is no election. Mr. Hill's friends expected the senate to stand: Smith 8, Hill 15, Norwood 21. This would prevent an election. In the house they calculated on Norwood 75, Hill 70, Smith 21. It was thus calculated that neither house would elect. The Hill men felt that there was danger in Norwood slipping through the senate and that by having the result announced in the house,

HE WOULD RUSH THROUGH

that body.

A ludicrous accident occurred in this connection. The clock in the senate at 12 minutes before 12, suddenly jumped up 10 minutes, thus throwing it ten minutes ahead of the house clock. Several senators called attention to this unexpected hiccough on the part of the clock, and the messenger at once under order of the president, turned it back. There was no purpose in this, the messenger remarking that he pushed it up, "as some of

THE SENATORS WERE TIRED

and wanted the race brought on."

The hour having fairly arrived the ballot was gone into with the following result:

FOR NORWOOD.

SENATE.

Black.	Bullock,	Clifton,
DuBose,	Felton,	Freeman,
Furman,	Gamble,	Harrison,
Hopps,	Mattox,	McDaniel,
McDonald,	Newton,	Perry,
Reese,	Stiles,	Wilcox,
Wilson,	Wessalowski,	Mr President—21

HOUSE.

Adams, of Chatham,	Atwood,	Benson,
Black.	Branch,	Brewer,
Brockett,	Church, Thomas,	Candler,
Calloway,	Causey,	Corker,
Burch, of Bert,	El-Cass,	Collins,	Davis, of Bibb,
Carter,	Davison,	Dugger,
Colley,	Dozier, of Quitman,	Fort,
Cox, of Bryant,	Fletcher,	Gresham,
DeLoach,	Green,	Gayton,
Evins,	Glover, of Jones,	Johnson,
Frederick,	Hughes,	Key,
Glover, Twiggs,	Kendrick,	Long,
Hatcher,	McKnox,	McDonald,
Jones, of Butts,	Marshall,	Northen,
Duffie,	Moore,	Paul,
Kirby,	Paine,	Perkins,
Mallette,	Peck,	Price,
McGar,	Pollhill,	Robinson,
Sweeney,	Richardson,	Shaw,
Pearson,	Scruggs,	Simms,
Pilcher,	Sikes,	Smith, of Butts,
Reese,	Thomas,	Thomas,
Russell,	Smith, of Tattnall,	Walton,
Sheffield,	Strickland,	Wilcox,
Smith of Echols,	Wade,	Willis,
Stewart,	Williams,	Willingham,
Vick,	Wolihin—79	
Grand total		101

FOR HILL.

SENATE.

Ashury,	Brewster,	Bryant,
bush,	Cureton,	Dedwyler,
England,	Godfrey,	Howell,
McLeod,	O'Daniel,	Ragsdale.
Rutherford,	Slaughter,	—14

HOUSE.

Almond,	Allred,	Anderson,
Awtrey,	Benjah,	Bloodworth,
Born,	Bowen,	Carlton,
Cloud,	Colbert,	Cox.
Davis,	Dozier,	Dudley,
Duke,	Fortner,	Fry,
Grant,	Gray,	Hammond,
Harden,	Harrell,	Hilyer,
Hollis,	Hogan, of Carroll,	Car-Humber,
Hutchins,	Jones.	
Jordan, of Hancock,	James,	Kimsey,
Jordan, of Pulaski,	Matthews, of Talbot,	
Leach,	Matthews, of McKinney,	
Mason,	McGuire,	North,
Moses,	Pike,	Phillips, Cobb,
Penn,	McAfee,	Pope,
Pickett, of Bibb,	Ra-Murray,	Reid of Morgan,
Reid, of Burke,	Phillips, of Carroll,	Sheffield,
Pickett,	Put-Pickett, of Gilmer,	Standiford,
Reid, of Putnam,	Taylor,	Thorpe,
Smith, of Ogle Rags,	Walton, of Harrison,	
Stewart, of Muscogee,	Roper,	Turnbull,
Turner.	Smith, of Walton,	Whitfield,
Wise,	Stewart, of Spalding,	Wilkes,
Mr. Speaker	Wilson,	—68
Grand total		—89

FOR SMITH.

SENATE.

Cabaniss,	Christian,	Cody,
Graham,	Harkness,	Hudson,
McAfee,	Reid,	Shewmake. —9

HOUSE.

Brown, of Upson,	Dy-Brown, of Forsyth.	Cochran,
Davis, of Stewart,	Faircloth,	Harris,
Hogan, of Monroe,	Hood,	Kennon,
McKee,	Miller, Peacock,	Mobley,
Reese,	Rouse,	Rawlins,
Wade,	W. H.	Tumlin,
Woodridge.	Wash,	Robinson,
Grand total		Turnbull, —30

FOR WALKER

SENATE

None.

HOUSE.

Adams, of Lee, Bunt of Dough Bacon, of Liberty, —4
Mr. Stokely, of Bartow, voted for C. J. Jenkins.

Just as the ballot was finished, Cochran, of Pierce, arose, and in a clear voice announced, "I change my vote from Smith to Hill!" This was greeted

WITH DEAFENING APPLAUSE,

which had hardly died away when Harris, of Baker, followed with the same motion.

Mr. Brown, of Fayette, then changed from Smith to Norwood, and was followed by Mr. Rouse and Mr. McRae.

Mr. Hogan, of Monroe, then changed from Smith to Hill; and Mobley changed from Smith to Norwood.

These changes raised the vote of Hill and Norwood, and each took eight from Smith, leaving the final result—

	SENATE.	HOUSE.	TOTAL.
Norwood	21	83	104
Hill	14	72	86
Smith	9	13	22

Necessary to a choice 109.

There were only two members of the house that did not vote, both being absent—Messrs Goodrum and Freeman Mr. Goodrum is for Hill; Mr. Freeman had not openly declared his position. The full senate voted. It was the heaviest joint ballot ever known in the Georgia legislature. Both houses adjourned immediately after the balloting.

The Contest To-day.

At twelve o'clock to-day the two houses will meet in the Representative Hall, and will there continue the ballo ings. The skirmish of yesterday only intensified the real fight which must come to-day. The Hill men and Norwood men both are perfectly confident, and the Smith men, it is said,

WILL STILL FLY THEIR FLAG.

They claim that Smith's strength was not shown on the first ballot, and that it was not intended it should be. They say he has been fighting "a waiting race" and that he will grow into the proper stature at the proper time. It is quite certain the small vote cast for Gov. Smith created a genuine surprise.

WILL EX-GOV. JOHNSON GO IN?

There was a very strong impression last night that ex-Gov Johnson's name will be presented to-day, and urged by his friends with vehemence after the first ballot or two. There is an active undercurrent for Johnson, that may lead to a very unexpected result. It may be set down as one of the probabilities that Mr Johnson will be balloted for.

WHAT WILL THE RESULT BE?

It is of course, impossible to guess what the result of the day's canvassing will be Mr. Hill is said to have gained during the whole evening but we shall see what we shall see.

Shirts! Shirts!

John Ryan has opened a new department in addition to his extensive supply of Dry Goods, Carpets, Boots and Shoes, for the sale of Gentlemen's Shirts. He has just opened the first in talment of Laundried and Unlaundried Shirts, from the United States Manufacturing Company, and will sell them at retail at wholesale prices. Call and see. jan24—d3t

J. P. STEVENS,

MANUFACTURING

JEWELER & ENGRAVER.

DEALER IN

DIAMONDS, WATCHES AND JEWELRY, 28

WHITEHALL STREET, UP-STAIRS.

jan4—d1m,2d1,c

CASTLEBERRY & Co., ARE THE ONLY furniture manufacturers in Georgia. $30,000 worth now in store 44 Whitehall street. Hotels and boarding houses furnished at low rates remember we save our customers freight and commission. dec21 if best cel.

Curiosities of Commerce!

"Among the curiosities in the deposits at the Fidelity Safe Depository on Bankhead street, is a single package of half million dollars, in United States registered bonds, worth nearly $600,000. It represents the original capital of the Traders' Insurance Company, of this city, placed there in 1870, and never since disturbed."—Chicago Times, Nov. 13, 1876.

This company is represented in Atlanta by
J. W. THOMAS, Insurance Agent,
Republic Block,
jan24 Atlanta, Ga.

THE GENUINE TURKISH BATH.

Bath rooms 100 feet long, divided into 8 rooms of *different temperature*; 14,400 cubic feet of pure, dry, warm air. Such is the bath given by Dr. Wilson, opposite Markham House. Ladies and gentlemen every day at all, and the same hours, in *separate rooms*. Water baths 25 cents; Turkish-Shampoo baths, *in warm rooms*, 50 cents; Roman baths, 50 cents.
jan17—d1m,t3oc,1p

THE CONTESTED ELECTION.

HAMMOND VS. PITTMAN.

The Evidence of the Investigation.

The taking of evidence in the contested election of ordinary of Fulton county was begun Monday in the superior courtroom before T. A. Pool, Esq., justice of the peace, in and for the 530 district, G. M. The attendance of spectators during the day was very good and there seemed to be considerable interest in the proceedings.

J. T. Glenn appeared as counsel for Judge Pittman and Judge P. L. Mynatt is retained by Judge Hammond.

The following is the summary of the evidence heard yesterday:

John M. Hall, sworn: Sold a gallon of whisky to Judge Pittman's order late on the evening of the election. Several men were in the party that came for it. Some of the whisky was poured in a bottle and carried off by some of the parties. Don't know what became of the whisky in the demijohn. Parties stated that they had been at work all day in the cold, and wanted whisky to drink. Did not say they wanted it to get votes with. Was at the polls in the afternoon, and saw no liquor there. Sold Pittman no other liquor that day. Extremely cold day, and deep snow was on the ground.

Sold J. O. Harris three gallons of whisky to be sent to the polls after dinner. Saw some noisy negroes at the polls. Judge Hammond nor his friends did not buy any liquor. Henry Holcombe bought two gallons of liquor, probably on election day.

EDGAR H. ORR, SWORN.

Was at the polls about dinner time; saw a negro standing behind a counter in Judge Pittman's office with a demijohn in his hand; he was handing it to other negroes who were drinking from it; saw several noisy parties, looked as if they were intoxicated; thinks if the matter was kept up as he saw it all day, it would be sufficient to influence 300 votes; has attended all the city and county elections for five years past; has never been a candidate; has never attempted to influence negro voters in close elections; has seen cases where negro votes were changed by liquor; would not say that a majority of negro votes in the county could be so influenced; Pittman was the democrat nominee; Hammond was an independent; negroes usually belong to the republican party; can't tell what the democratic majority in this county is; saw forty people in ordinary's office on election day; three fourths of them were negroes; saw Judge Pittman, and thinks he saw Mr. Cooper there; Pittman was talking to white men; don't know who the negroes in the office voted for; don't know that the liquor influenced votes for Pittman; thinks liquor would influence white votes; he went to the polls to vote for Pittman, but did not do so on account of what he saw in his office.

James M. Buchanan, sworn: Was at polls at half-past 8 o'clock; saw some liquor in the ordinary's office; saw about forty people there; stood at the door and looked in; saw a person dealing out the whisky to several parties; went away and then came back, when he saw three persons drinking; about thirty were in the office then; was in the office in er and saw no liquor; about 4 o'clock saw nine men drinking in the office, four were drinking from a bottle, the others from glasses; saw eight or ten men drinking near the clerk's office; about 5 o'clock saw fifteen men in the yard scuffling and drinking out of a demijohn; thought the liquor used would influence 250 or 300 votes, is a mechanic; has not worked on a contract since last June; asked three persons to vote—two for Ezzard and one for Hammond; nobody asked him to vote or paid him to do so; asked a negro to vote for Hammond; told him Hammond was in favor of public schools and that Pittman had had the office long enough; think a small majority of negroes voted for Hammond, but thinks the negro vote was almost equally divide3; don't know which side worked hardest at the election; went to Pittman's office to get warm, but could not get in; did not want a drink; knew the law regarding the closing of saloons on election days, and thought it was disgraceful that drinking should go on in the ordinary's office; he wanted to know if the law would allow him to bring whisky into the ordinary's office on election days and drink it under the noses of the managers of election; did not see Judge Pittman have anything to do with the liquor; saw Cooper in ordinary's office; saw him take something out of the safe; saw several negroes electioneering for Pittman: saw Hinton Wright take a flask of whisky out of his pocket, and the man who drank with him was McIntire; the men scuffling over the demijohn in the yard were negroes; don't know where any of the whisky came from; he saw three cases of intimidation—negroes working with those of their own color; has lived in Atlanta eleven years; never was a politician; thinks that two fifty gallons of whisky were drank on the grounds that day; saw more sober men than drunk ones; bases his opinion about the whisky on what he saw and what he heard; saw Ed. Hammond in the clerk's office; heard there was whisky in there; was in favor of Hammond's election, because he thought he would make a good ordinary.

Here the examination was interrupted by the adjournment of the court until this morning at nine o'clock.

SECOND DAY'S PROCEEDINGS.

Yesterday morning the investigation was resumed before Justice Pool at 9 o'clock.

J. W. Roberts, sworn: Was here all day on the 3rd of January; was at the election from the time polls opened until four o'clock the next morning; am hall keeper and messenger of city council; saw drinking in every room in the court house; saw drinking first, soon after polls opened in the marshal's office; two gallons were drank there; saw nobody drunk in marshal's office; fifteen or twenty negroes drank in there; next saw drinking in the hall; saw several men pull out their bottles and drink; there were one or two demijohns in the hall next, saw drinking in the city court room up stairs; there were about three demijohns and one hundred men drinking; there was drunkenness and disorder up stairs; went up stairs and found the hall door locked; unlocked it and found the hall full of men, most of them drunk; asked them to get out of there; told them I did not want the hall to be made a bar room; got the men out but they went back; heard nothing said about election; many of the men were too drunk to think of anything but drinking; went back up stairs and ordered the men out; got help to put them out; some of them were boisterous; can't tell where the whisky came from; next, saw a crowd of negroes in door of the water closet with a demijohn; next, saw drinking in Judge Pittman's office about four o'clock in the evening; saw quite a crowd drinking there then; they were whites and blacks; saw a small demijohn; there were fifteen or twenty men; went into Collins' office with Tom Harvin; Tom brought out a two gallon demijohn and asked me to get drink, but he declined; saw a dozen men in there and saw three or four drinks taken; could see drinking in the hall at almost any time during the day; heard nothing said about the election; a good deal of whisky was drank; don't know how much; the party couldn't have drank more water on the fourth of July than the whisky they drank that day; fully a barrel was drank—perhaps more; have no idea how many votes were influenced by the whisky which was so plentifully drank; don't think that whisky would have influenced four hundred votes unless they all got drunk; was not invited into the rooms to drink except as related; Judge Pittman and J. O. Harris were the only regular candidates that day who had opposition.

CAGES EXAMINED.

Thirty-eight years old; been in Atlanta five years, and been hall-keeper two years; had no experience in politics; never tried to control votes, and never used whisky to obtain votes; knows what effect whisky usually has on voters; have heard men say they would vote against others if they did not get a drink of whisky; don't know how much whisky it would take to get a vote; it would be owing to what kind of a man he was; suppose there are men in this county who could be influenced by whisky; can swear I know many men in Atlanta whose votes can be influenced by whiskey, but don't know their names; have seen them at primary elections where their votes were influenced by liquor; don't know about regular elections; did not see Judge Pittman in his office till after the polls closed; saw Judge Hammond and his two sons go into the clerk's office to warm; saw Judge Pittman walking about out in the yard talking to men; suppose he was electioneering; did not see him near the whisky; J. O. Harris was the only candidate I saw with whisky; he was a candidate for tax receiver; did not hear of any other candidate having whisky; thinks one hundred and fifty men took drinks; there are forty-two gallons of whisky in a barrel; don't know in whose interest the whisky was used on election day; some of the men who drank voted for Hammond and some for Pittman; don't know how many of fifty men who came to vote for a candidate could be changed; saw a hundred drunken men that day, supposed they were divided in the election for ordinary; saw no intimidation, but did not notice the polls; was inside the building most all the time; can't say he saw Pittman or Hammond electioneering that day; was sent for by Judge Hammond a few days after the election; went to his office; he asked me if I saw any whisky drunk during election day; I told him I did; did not see Tyler Cooper connected with the whisky in any way; saw no man working for Pittman nor whisky that day; democratic tickets had red backs and white faces; Hammond and Ezzard had white tickets; a great many voters could be fooled by the use of tickets of which yours is a sample; at the polls; don't think it said that there were bogus tickets counted out; the tickets were not counted; tickets were [illegible]

PERSONAL.

—Col. Sam W. Small has been reappointed stenographic reporter of the Atlanta circuit. This is a just tribute to his worth and efficiency.

—Miss McClellan, of North Carolina, is on a visit to Dalton, and is the guest of Miss Carr's McCutchen. The heads of Frank Hardwick and the rest of the boys are all turned in consequence.

—Col. Stewart, the able representative from Spalding, is one of the finest debaters in the general assembly.

—Miss Epping, of Columbus, returned home Saturday, but, by St. George, the bonquet came too late.

—Albert H Cox, of Troup, is levelheaded. He favors "retrenching breath," as well as expenses.

—Mr. H. P. Kennedy, of the firm of Crichton, Kennedy & Co., accompanied by his sister Miss Jennie F. Kennedy leave for Florida to-night. Miss Kennedy will spend the winter, while Mr. K. goes on business connected with the house.

—Hon. L. J. Allred, of Pickens, was in the legislature thirty years ago.

—James R. Hines, who was confirmed solicitor general of the middle circuit, graduated with the first honor at Emory College in 1872. He is a young man of fine abilities.

—Osgood Sanders is 32.

—Mr. Lockett Rogers, of the firm of Stephens & Flynn, has been wading through the muddy streets of Forsyth.

—The Greenville (S. C.) News says General Wheaton, at McPherson barracks, is an entertaining and hospitable gentleman.

—Mr. Randolph Ross, the proprietor of the Planter's hotel at Marion, S. C. is one of the most popular landlords in the south.

—It is said to be a settled fact that Capt E. B. Purcell will be the next United States marshal for Georgia. He is already commodore of the Oconee fleet.

—S. C. Cooper, of Americus, will, to-night, lead to the hymeneal altar, in Macon, Miss Katie E. Oliver. Owing to the illness of Mr. Cooper's mother, the ceremony will be private.

—The effort of Hon Henry Hillyer in the house yesterday was highly complimented.

An Acknowledgment.

Editors Constitution: My building, No. 60 Whitehall street, that was damaged by fire a few nights ago, was insured by the Georgia Home, W P. Pattillo agent. When I informed Mr. Pattillo of the burning, he stated that he would have it attended to with despatch, and he did. I have noticed for several years past that Mr. Pattillo anxiously endeavors to see equal justice done to the companies he represents, and to his patrons, which is right. A man who conscientiously serves his employers will conscientiously serve his patrons. I have no fancy for a wishy-washy man, or promises and persuasions when the sun shines, and then turns his back on you when the storm comes.

Mr. Pattillo is an example worthy of imitation. F. D THURMAN.

The Catholic Fair.

Despite muddy streets and inclement weather last night the attendance at the Catholic fair was largely increased. As we remarked before "the fairest of the fair were in attendance on the fair of the fairest."

At the sodality table is a unique bedstead with a doll in it, perfectly captivating to all the little girls One of these easy chairs, calculated to give solid comfort, is to be voted to the gentleman with the most nerve. Dr. A. C. Ford, dentist, and Rev. Father Quinlin are the contestants, and both expect to "sit down" with the prize.

Mrs. Flynn's table has received new and attractive articles The handsome doll is to be voted to the most popular Miss is being contested for by Miss Julia Owens and Miss Maude Roach. Miss Floyd Pittman declined to run. The ballot for the jewelry opens to-night in earnest. Miss Pollie Morton, Miss Mollie Green and Miss Addie Valentine are candidates.

The refreshment table is after all the most satisfactory and inviting, and is the best place in the hall. Here, in a room with elegant lace curtains at the door, you can satisfy all the wants of the inner man. Oysters, ice cream, cakes, etc., are served up by fair hands that render delicious viands still more enticing. The ladies in charge of this department are Mrs. Hurley, assisted by Mrs. Gilbert Mrs Mason, Mrs. Johnson, Miss B Cannon, Miss Agnes Madden, and Miss Ellen Rogan The superb doll on this table is exciting an animated contest between the friends of Miss Alice Bealmer, Nellie Ford, Mattie Cannon, and Miss Mary Wagnon.

The shooting gallery, under charge of Dr. Ford, is the place where most men can make a mark if they can't hit one.

It is probable that a handsome gold-headed cane will be voted for to be presented to the most popular ladies' man of the members of the board of police commissioners, and a sewer-log machine to the handsomest member of the sanitary commission.

The fair will continue to-night and all who would enjoy themselves had better go early.

A Beautiful Medal.

We have been shown by Mr. George Sharp, jr., a beautiful medal, designed and engraved by Mr. Sawtell, foreman of Sharp's jewelry establishment, to be awarded to the lieutenant who receives the most votes at the ladies Catholic fair. The medal is of solid gold, and was designed and engraved by Mr. Sawtell at very short notice. The design, enclosed in slab or ate scroll-work, is two swords covering a cross, the reverse of the medal bearing the name of the fortunate party (when he shall have been voted for) and the manner in which the medal will be donated. A more elaborate piece of workmanship was never seen in Atlanta.

Card.

Editors Constitution—Will you be kind enough to state in THE CONSTITUTION that it can be purchased of the news agents on the Georgia railroad trains at five cents per copy, and oblige, JOHN F. QUINN,
News agent Ga. R. R.

Remnants! Remnants!

Furchgott, Benedict & Co. will offer from to-day from their Centre Counter a large lot of Remnants, consisting of Dress Goods, Cassimeres, Alpacas, Cashmeres, Prints, &c., which have been reduced from 20 per cent. to 50 per cent below cost price to close out. dec27-dtf

READ THE EVENING TELEGRAM OF TO DAY. jan2-dtm

500 boxes more of that favorite ladies' writing paper at 13½c per box, at
dec27— FURCHGOTT, BENEDICT & Co.'s.

THE EVENING TELEGRAM: Everybody Takes It for Latest News.
Issued 4 p. m.—Price 3 cents.
jan2-dtm

Headquarters for Fruit.

Oranges, 25 cents per dozen.
Bananas, 25 to 50 cents per dozen.
Speckled Apples, $1 00 per barrel.
W. F. STOKES & Co.,
jan19-dlw,2,3orde 17 Alabama streets.

THE SUNDAY HERALD: "Old 84" Appears in Every Issue.
Send for a Sample Copy.
jan3-dtm

Photographs.

Kuhns & Son are making first class Photographs at $3 00 per dozen. Call and examine their work, 37 Whitehall street.
jan21-d2t

THE EVENING TELEGRAM—TO-DAY—SENSATION! jan2-dtm

THE EVENING TELEGRAM: Telegrams, News, Fun, Busy Reading
Issued 4 p. m.—Price 3 cents.
jan2-dtm

THE EVENING TELEGRAM: Earliest Telegraphic and Local News.
Issued 4 p. m.—Price 3 cents.
jan2-dtm

Carpets! Carpets! Carpets!

Peremptory closing out 20 pieces Brussells Carpeting at $1 15.
5 pieces Hemp at 20c yard.
30 pieces Assorted Ingrains from 35c up.
10 pieces Three-Ply Carpeting at $1 35.
The above goods must be sold, at
dec8 -dtf FURCHGOTT, BENEDICT & Co.'s.

THE EVENING TELEGRAM: A Crisp and Spicy News-Bearer.
Issued 4 p. m.—Price 3 cents.
jan2-dtm

Great Reductions are offered at Furchgott, Benedict & Co.'s in their Dress Goods and Cassimere Departments dec27—dtf

THE SUNDAY HERALD: "Old 84."—Freshest News—Family Reading.
Cheapest and Best—Send for a Copy.
jan2 dtm

Cloaks! Cloaks!

The balance of our Cloaks has been this day reduced to as low as $4 00, former price $6 00. Other grades in same proportion, at
dec27-dtf FURCHGOTT, BENEDICT & Co.'s.

$722,943 ALL PRIZES AND NO BLANKS. Greatest Single Number Prize Drawing that ever took place in the United States. By authority of an act of the Legislature the drawings will take place in Public at Cheyenne, Wy. Territory, Dec. 30, 1876, to be drawn in the presence of sworn officers.

$722,943 TO BE DISTRIBUTED,

Each and every Ticket will be numbered in a Prize. Tickets $10 each, or a package (20) tickets for $100. Information furnished, and orders to be addressed SHORT & CO., Bankers, 31 Park Row, New York City. Send for circular. jan2-dlm

Cloaks! Cloaks!

Furchgott, Benedict & Co.'s in their Dress Goods and Cassimere Departments dec27—dtf

Furniture Factory No. 2.

We are now receiving at our warerooms, 72 Whitehall street, 150 dozen chairs, cane seats; 40 dozen rockers, cane seats, and we will receive in the next twenty days 40 dress case suits, all grades; also, all kinds bed-room furniture.

Call before you buy.

JAMES L WATKINS,
jan 14-tf Agent for Georgia.

WEATHER REPORT, JAN. 23, 1877

Reported by P. H. Mell, Jr., Chemist and Meteorologist, Dept. Agriculture.

BAROMETER.

7 A.M.	2 P.M.	9 P.M.	MEAN.
29.114	29.085	29.133	29.110

THERMOMETER.

7 A.M.	2 P.M.	9 P.M.	MEAN.	MAX'M	MIN'M
44°	43°	38°	41.7°	44°	34°

Maximum heat of the direct rays of the sun..... 51°
Radiation from the earth during preceding night..... 40°

HYGROMETER.

Per cent of moisture in the air				Evaporation.	Rainfall.
7 A.M.	2 P.M.	9 P.M.	MEAN	INCHES	INCHES.
93	93	89	91.3	.10	.05

ANEMOMETER.

7 A.M—Wind from the..... East
2 P.M—Wind from the..... North
9 P.M—Wind from the..... North
Average velocity in miles per hour..... 4.6
Pressure in ounces per square foot..... 2

APPEARANCE OF THE SKY

7 A.M..... Cloudy
2 P.M..... Cloudy
9 P.M..... Cloudy

N. B.—Strong indications for clear, cold weather during the day.

TO-DAY'S PROBABILITIES.

By Telegraph.

South Atlantic States: Rising barometer northerly winds, colder and cloudy weather and light rains will prevail, succeeded in the Carolinas by falling barometer, westerly winds and warmer and partly cloudy weather.

COMMERCIAL.

ATLANTA COTTON MARKET.

ATLANTA, GA., January 23, 1877.
Cotton quiet at 11¾. Stains 9½@10¾.

RECEIPTS FOR TO-DAY.

By wagon	00
Air-Line Railroad	00
Georgia Railroad	5
Central Railroad	23
Western and Atlantic Railroad	00
West Point Railroad	2
Total	30
Receipts previous	80,850
Total	80,910
Stock on hand September 1	995
Grand total	81,905

SHIPMENTS.

Shipments to-day	85
Shipments previous	76,419
Total	76,504
Stock on hand	4,701

MARKETS BY TELEGRAPH.

Financial.

NEW YORK, January 23.—Money easy at 4@5.
Sterling firm at 4.
Gold quiet at 106¼@106¾.
Governments active and strong; new fives 113¾.
State bonds nominal.
Stocks closed active and generally steady; New York Central 104; Erie 10¾; Lake Shore 56⅝; Illinois Central 87½; Pittsburg 99¾; Chicago and Northwestern 36¾; preferred 58; Rock Island 102.
Sub-treasury balances—gold $68,251,946; currency $41,338,581.
The sub-treasury paid out $144,000 on interest, for bonds $27,000.
Customs receipts $423,000.

OPENING QUOTATIONS.

Cotton.

NEW YORK, January 23.—Cotton firm; sales 155 bales; uplands 13¾; Orleans 13 7-16.
Futures opened steady at the decline; February 13 5-16@13 11-32; March 13 19-32@13⅝; April 13 13-16@13¾; May 14@14 1-32.
LIVERPOOL, January 23—noon.—Cotton market quiet; middling uplands 7 middling Orleans 7 3-16; sales 10,000 bales; speculation and export 2,000; receipts 32,290; American 48,879.
Futures opened 1-16 dearer, but have since lost 1-32
Middling uplands nothing below low middlings, January and February delivery 6 15-16.
February and March delivery 7 3-32.
March and April delivery 7 3 32@7⅝.
April and May delivery 7 3-16.
June and July delivery 7 5-16.
Shipped in January and February per sail 7 1-16
Shipped in March and April 7 5-16.

CLOSING QUOTATIONS.

LIVERPOOL